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1 AN ACT

2 relating to commercial driver's licenses and commercial learner's
3 permits and the operation of commercial motor vehicles; authorizing
4 a fee; increasing a penalty.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 502.047(a), Transportation Code, is
7 amended to read as follows:

14 SECTION 2. Section 521.059(a), Transportation Code, is
15 amended to read as follows:

16 (a) The department shall establish an image verification
17 system based on the following identifiers collected by the
18 department under Section 521.142(b):

19 (1) an applicant's facial image; and
20 (2) an applicant's thumbprints or, if thumbprints
21 cannot be taken, the index fingerprints of the applicant.

22 SECTION 3. Section 522.003, Transportation Code, is amended
23 by amending Subdivisions (4), (12), (22), and (23) and adding
24 Subdivisions (22-a) and (23-a) to read as follows:

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1 (4) "Commercial [driver] learner's permit" means a
2 permit [~~commercial driver's license~~] that restricts the holder to
3 driving a commercial motor vehicle as provided by Section
4 522.011(a)(2)(B).

14 (23) "Out-of-service order" means:

15 (A) a temporary prohibition against driving a
16 commercial motor vehicle issued under Section 522.101, the law of
17 another state, [or] 49 C.F.R. Section 383.5, 386.72, 392.5, 392.9a,
18 395.13, or 396.9, a law compatible with those federal regulations,
19 or the North American Standard Out-of-Service Criteria; or

20 (B) a declaration by the Federal Motor Carrier
21 Safety Administration or an authorized enforcement officer of a
22 state or local jurisdiction that a driver, commercial motor
23 vehicle, or motor carrier operation is out of service under 49
24 C.F.R. Section 383.5, 386.72, 392.5, 392.9a, 395.13, or 396.9, a
25 law compatible with those federal regulations, or the North
26 American Standard Out-of-Service Criteria.

27 (23-a) "Person" includes the United States, a state,

1 or a political subdivision of a state.

2 SECTION 4. Section 522.011, Transportation Code, is amended
3 by amending Subsections (a) and (c) and adding Subsections (e) and
4 (f) to read as follows:

5 (a) A person may not drive a commercial motor vehicle
6 unless:

7 (1) the person:

8 (A) has in the person's immediate possession a
9 commercial driver's license issued by the department appropriate
10 for the class of vehicle being driven; and

11 (B) is not disqualified or subject to an
12 out-of-service order;

13 (2) the person:

14 (A) has in the person's immediate possession a
15 commercial [driver] learner's permit and driver's license issued by
16 the department; and

17 (B) is accompanied by the holder of a commercial
18 driver's license issued by the department with any necessary
19 endorsements appropriate for the class of vehicle being driven, and
20 the license holder:

21 (i) for the purpose of giving instruction
22 in driving the vehicle, at all times occupies a seat beside the
23 permit holder or, in the case of a passenger vehicle, directly
24 behind the driver in a location that allows for direct observation
25 and supervision of the permit holder [for the purpose of giving
26 instruction in driving the vehicle]; and

27 (ii) is not disqualified or subject to an

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1 out-of-service order; or

4 (c) An offense under this section is a [Class C] misdemeanor
5 punishable by a fine not to exceed \$500, except that the offense is
6 a misdemeanor punishable by a fine not to exceed \$1,000 if it is
7 shown on the trial of the offense that the defendant was convicted
8 of an offense under this section in the year preceding the date of
9 the offense that is the subject of the trial.

10 (e) It is a defense to prosecution for a violation of
11 Subsection (a)(2)(A) if the person charged produces in court a
12 commercial learner's permit or driver's license, as appropriate,
13 that:

14 (1) was issued to the person; and

15 (2) was valid when the offense was committed.

16 (f) The court may assess a defendant an administrative fee
17 not to exceed \$10 if a charge under this section is dismissed
18 because of the defense listed under Subsection (e).

19 SECTION 5. Section 522.013, Transportation Code, is amended
20 to read as follows:

21 Sec. 522.013. NON-DOMICILED [NONRESIDENT] LICENSE OR
22 PERMIT. (a) The department may issue a non-domiciled
23 [nonresident] commercial driver's license or commercial learner's
24 permit to a person domiciled in [resident of] a foreign
25 jurisdiction if the secretary has determined that the commercial
26 motor vehicle testing and licensing standards in the foreign
27 jurisdiction do not meet the testing standards established by 49

1 C.F.R. Part 383.

2 (b) An applicant for a non-domiciled commercial driver's
3 license must surrender any non-domiciled [~~nonresident~~] commercial
4 driver's license issued by another state.

5 (c) Before issuing a non-domiciled [~~nonresident~~] commercial
6 driver's license, the department must establish the practical
7 capability of disqualifying the person under the conditions
8 applicable to a commercial driver's license issued to a resident of
9 this state. Before issuing a non-domiciled commercial learner's
10 permit, the department must establish the practical capability of
11 disqualifying the person under the conditions applicable to a
12 commercial learner's permit issued to a resident of this state.

13 (d) "Non-domiciled" [~~Nonresident~~] must appear on the face
14 of a license or permit issued under this section.

15 (e) The department may issue a temporary non-domiciled
16 [~~nonresident~~] commercial driver's license to a person who does not
17 present a social security card as required by Section
18 522.021(a-1)(1) but who otherwise meets the requirements for a
19 non-domiciled [~~nonresident~~] commercial driver's license, including
20 the requirement that the commercial motor vehicle testing and
21 licensing standards of the country of which the applicant is
22 domiciled [~~a resident~~] not meet the testing and licensing standards
23 established by 49 C.F.R. Part 383. A license issued under this
24 subsection:

25 (1) expires on the earlier of:

26 (A) the 60th day after the date the license is
27 issued; or

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1 (B) [the expiration date of the visa presented
2 under Section 522.021(a-1)(2)(B); or
3 [(C)] the expiration date of any [the] Form I-94
4 Arrival/Departure record, or a successor document, presented under
5 Section 522.021(a-1) [522.021(a-1)(2)(C)]; and
6 (2) may not be renewed.

7 (f) The department may not issue more than one temporary
8 non-domiciled [~~nonresident~~] commercial driver's license to a
9 person.

10 SECTION 6. Section 522.014, Transportation Code, is amended
11 to read as follows:

12 Sec. 522.014. PERMIT. (a) The department may issue a
13 commercial [driver] learner's permit to an individual who:

16 (2) has passed the vision and written tests required
17 for [a Texas driver's license appropriate for] the class of vehicle
18 to be driven.

19 (b) A commercial learner's permit must be a separate
20 document from a driver's license or a commercial driver's license.

21 (c) The issuance of a commercial learner's permit is
22 required for:

(d) A commercial learner's permit holder may not take a

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1 commercial driver's license skills test before the 15th day after
2 the date of the issuance of the permit.

3 SECTION 7. Section 522.015, Transportation Code, is amended
4 to read as follows:

5 Sec. 522.015. LICENSE OR PERMIT ISSUED BY OTHER
6 JURISDICTION. A person may drive a commercial motor vehicle in this
7 state if:

8 (1) the person has a commercial driver's license or a
9 commercial [driver] learner's permit issued by:

10 (A) another state in accordance with the minimum
11 federal standards for the issuance of a commercial motor vehicle
12 driver's license; or

13 (B) a foreign jurisdiction the testing and
14 licensing standards of which the United States Department of
15 Transportation has determined meet the requirements of the federal
16 act;

17 (2) the person's license or permit is appropriate for
18 the class of vehicle being driven;

19 (3) the person is not disqualified from driving a
20 commercial motor vehicle and is not subject to an out-of-service
21 order; [and]

22 (4) the person has not had a domicile in this state for
23 more than 30 days; and

24 (5) if the person has a permit, the person also has a
25 driver's license issued by the same jurisdiction that issued the
26 permit.

27 SECTION 8. Sections 522.021(a), (a-1), and (d),

1 Transportation Code, are amended to read as follows:

2 (a) An application for a commercial driver's license or
3 commercial [driver] learner's permit must include:

4 (1) the full name and current residence and mailing
5 address of the applicant;

6 (2) a physical description of the applicant, including
7 sex, height, and eye color;

8 (3) the applicant's date of birth;

9 (4) the applicant's social security number, unless the
10 application is for a non-domiciled [~~nonresident~~] commercial
11 driver's license and the applicant is domiciled in [~~a resident of~~] a
12 foreign jurisdiction;

13 (5) certifications, including those required by 49
14 C.F.R. Section 383.71(a); and

15 (6) any other information required by the department.

16 (a-1) If the application is for a non-domiciled
17 [~~nonresident~~] commercial driver's license and the applicant is
18 domiciled in [~~a resident of~~] a foreign jurisdiction that does not
19 meet the testing and licensing standards established by 49 C.F.R.
20 Part 383, the applicant must present:

21 (1) a social security card issued to the applicant;
22 [and]

23 (2) an unexpired foreign passport issued to the
24 applicant;

25 (3) either:

26 (A) a Form I-94 Arrival/Departure record or a
27 successor document; or

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1 (B) an unexpired employment authorization
2 document; and

5 [(A) a passport issued to the applicant by the
6 ~~country of which the applicant is a resident.~~

7 [(B) a Temporary Worker visa; and

8 [(C) a Form I-94 Arrival/Departure record or a
9 successor document].

10 (d) A person who knowingly falsifies information or a
11 certification required by Subsection (a) commits an offense and is
12 subject to a 60-day disqualification [cancellation] of the person's
13 commercial driver's license, commercial [driver] learner's permit,
14 or application. An offense under this subsection is a Class C
15 misdemeanor.

16 SECTION 9. Section 522.022, Transportation Code, is amended
17 to read as follows:

18 Sec. 522.022. LICENSE REQUIREMENTS. The department may
19 not issue a commercial driver's license other than a non-domiciled
20 [nonresident] license to a person unless the person:

21 (1) has a domicile:

22 (A) in this state; or

23 (B) in another state and is a member of the United
24 States armed forces, including a member of the National Guard or a
25 reserve or auxiliary unit of any branch of the armed forces, whose
26 temporary or permanent duty station is located in this state;

27 (2) has passed knowledge and skills tests for driving

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1 a commercial motor vehicle that comply with minimal federal
2 standards established by 49 C.F.R. Part 383, Subparts G and H; and
3 (3) has satisfied the requirements imposed by the
4 federal act, federal regulation, or state law.

5 SECTION 10. Section 522.023, Transportation Code, is
6 amended by adding Subsection (j) to read as follows:

7 (j) The department may administer a skills test to a person
8 who holds a commercial learner's permit issued by another state or
9 jurisdiction.

10 SECTION 11. Section 522.025, Transportation Code, is
11 amended to read as follows:

12 Sec. 522.025. LIMITATIONS ON ISSUANCE OF LICENSE OR PERMIT.
13 (a) The department may not issue a commercial driver's license or
14 commercial [driver] learner's permit to a person who is
15 disqualified from driving a commercial motor vehicle or while the
16 person's driver's license or driving privilege is suspended,
17 revoked, or canceled in any state.

18 (b) The department may not issue a commercial driver's
19 license to a person who has a driver's license, commercial driver's
20 license, or commercial [driver] learner's permit issued by another
21 state unless the person surrenders the license or permit. The
22 department shall notify [~~return a surrendered license or permit to~~]
23 the issuing state of the surrendered license or permit [~~for~~
24 ~~cancellation~~].

25 SECTION 12. Section 522.027, Transportation Code, is
26 amended to read as follows:

27 Sec. 522.027. MINIMUM AGE. The department may not issue a

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1 commercial driver's license or a commercial [driver] learner's
2 permit to a person who is younger than 18 years of age.

3 SECTION 13. Section 522.028, Transportation Code, is
4 amended to read as follows:

5 Sec. 522.028. CHECK OF DRIVING RECORD. Before issuing a
6 commercial driver's license or commercial learner's permit, the
7 department shall check the applicant's driving record as required
8 by 49 C.F.R. Section 383.73.

9 SECTION 14. Section 522.029, Transportation Code, is
10 amended by amending Subsections (a), (b), (c), (h), (j), and (k) and
11 adding Subsections (h-1) and (l) to read as follows:

12 (a) The fee for a commercial driver's license [~~or commercial~~
13 ~~driver learner's permit~~] issued by the department is \$60, except as
14 provided by Subsections (f), (h), (j), and (k).

15 (b) The fee for a commercial driver's license [~~or commercial~~
16 ~~driver learner's permit~~] shall be reduced by \$4 for each remaining
17 year of validity of a driver's license, other than a commercial
18 driver's license [~~or commercial driver learner's permit~~] issued by
19 the department to the applicant.

20 (c) The fee for a duplicate commercial driver's license or
21 commercial [driver] learner's permit is \$10.

22 (h) The fee for a commercial driver's license [~~or commercial~~
23 ~~driver learner's permit~~] issued under Section 522.033 is \$20.

24 (h-1) The fee for the issuance or renewal of a commercial
25 learner's permit is \$24.

26 (j) The fee for issuance or renewal of a commercial driver's
27 license [~~or commercial driver learner's permit~~] is \$25 for a

1 license with an expiration date established under Section 522.054.

2 (k) The fee for a non-domiciled [~~nonresident~~] commercial
3 driver's license or a non-domiciled commercial learner's permit is
4 \$120. The fee for a temporary non-domiciled [~~nonresident~~]
5 commercial driver's license is \$20.

6 (l) The fee for the administration of a skills test to a
7 person who is not domiciled in this state is \$60.

8 SECTION 15. Section 522.029(f), Transportation Code, as
9 added by Chapter 1372 (H.B. 1200), Acts of the 75th Legislature,
10 Regular Session, 1997, is amended to read as follows:

11 (f) If a commercial driver's license [~~or commercial driver~~
12 ~~learner's permit~~] includes an authorization to operate a motorcycle
13 or moped, the fee for the driver's license [~~or permit~~] is increased
14 by \$8.

15 SECTION 16. Section 522.030(a), Transportation Code, is
16 amended to read as follows:

17 (a) A commercial driver's license or commercial learner's
18 permit must:

19 (1) be marked:

20 (A) "Commercial Driver License" or "CDL" for a
21 commercial driver's license; or

22 (B) "Commercial Learner's Permit" or "CLP" for a
23 commercial learner's permit;

24 (2) be, to the extent practicable, tamper-proof; and

25 (3) include:

26 (A) the name and domicile [~~mailing~~] address of
27 the person to whom it is issued;

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13 SECTION 17. Sections 522.032(a) and (b), Transportation
14 Code, are amended to read as follows:

20 (b) The holder of a commercial driver's license or
21 commercial [driver] learner's permit who changes the holder's
22 residence address shall notify the department not later than the
23 30th day after the date of the change.

24 SECTION 18. Section 522.033, Transportation Code, is
25 amended to read as follows:

26 Sec. 522.033. COMMERCIAL DRIVER'S LICENSE ISSUED TO CERTAIN
27 SEX OFFENDERS. (a) The department may issue an original or

1 renewal commercial driver's license or commercial [driver]
2 learner's permit to a person whose driver's license or personal
3 identification certificate record indicates that the person is
4 subject to the registration requirements of Chapter 62, Code of
5 Criminal Procedure, only if the person is otherwise eligible for
6 the commercial driver's license or commercial [driver] learner's
7 permit and:

8 (1) applies in person for the issuance of a license or
9 permit under this section; and

10 (2) pays a fee of:

11 (A) \$20 for a commercial driver's license; or
12 (B) \$24 for a commercial learner's permit.

13 (b) Notwithstanding Sections 522.013 and [Section] 522.051,
14 a commercial driver's license [or commercial driver learner's
15 permit] issued under this section, including a renewal, duplicate,
16 or corrected license, expires[~~+~~]

17 [~~(1) if the license or permit holder is a citizen, national, or legal permanent resident of the United States or a refugee or asylee lawfully admitted into the United States,~~] on the
18 first birthday of the license holder occurring after the date of
19 application, except that the initial license issued under this
20 section expires on the second birthday of the license holder
21 occurring after the date of application[~~;~~ or]

22 [~~(2) if the applicant is not described by Subdivision (1), on the earlier of:~~]

23 [~~(A) the expiration date of the applicant's authorized stay in the United States; or~~]

1 [(B) ~~the first birthday of the license holder~~
2 ~~occurring after the date of application, except that the initial~~
3 ~~license issued under this section expires on the second birthday of~~
4 ~~the license holder occurring after the date of application~~].

5 SECTION 19. Sections 522.034(a) and (b), Transportation
6 Code, are amended to read as follows:

7 (a) An applicant for an original commercial driver's
8 license [~~or commercial driver learner's permit~~] that includes an
9 authorization to operate a motorcycle must furnish to the
10 department evidence satisfactory to the department that the
11 applicant has successfully completed a basic motorcycle operator
12 training course approved by the department under Chapter 662.

13 (b) The department may not issue an original commercial
14 driver's license [~~or commercial driver learner's permit~~] that
15 includes an authorization to operate a motorcycle to an applicant
16 who fails to comply with Subsection (a).

17 SECTION 20. Sections 522.041(a) and (e), Transportation
18 Code, are amended to read as follows:

19 (a) The department may issue a Class A, Class B, or Class C
20 commercial driver's license or commercial learner's permit.

21 (e) The holder of a commercial driver's license or
22 commercial learner's permit may drive any vehicle in the class for
23 which the license or permit is issued and lesser classes of vehicles
24 except a motorcycle or moped. The holder may drive a motorcycle
25 only if authorization to drive a motorcycle is shown on the
26 commercial driver's license and the requirements for issuance of a
27 motorcycle license have been met.

1 SECTION 21. Section [522.042](#), Transportation Code, is
2 amended by amending Subsections (b) and (c) and adding Subsections
3 (d), (e), and (f) to read as follows:

4 (b) The department may issue a commercial learner's permit
5 with endorsements authorizing the driving of a passenger vehicle, a
6 school bus, or a tank vehicle.

7 (c) An endorsement under Subsection (b) for a passenger
8 vehicle or a school bus allows a permit holder to operate a vehicle
9 with only the following passengers:

10 (1) federal or state auditors and inspectors, test
11 examiners, or other permit holders; and

12 (2) the commercial driver's license holder required
13 under Section [522.011](#)(a)(2)(B).

14 (d) An endorsement under Subsection (b) for a tank vehicle
15 allows a permit holder to operate only an empty tank vehicle that
16 has been purged of any hazardous materials.

17 (e) The holder of a commercial driver's license or
18 commercial learner's permit may not drive a vehicle that requires
19 an endorsement unless the proper endorsement appears on the license
20 or permit.

21 (f) [e] A person commits an offense if the person violates
22 Subsection (c), (d), or (e) [b]. An offense under this section is
23 a Class C misdemeanor.

24 SECTION 22. Section [522.051](#), Transportation Code, is
25 amended by amending Subsections (a), (b), (c), (d), and (f) and
26 adding Subsection (h) to read as follows:

27 (a) Except as provided by Subsection (f) and Sections

1 522.013(e), 522.033, and 522.054, an original commercial driver's
2 license [~~or commercial driver learner's permit~~] expires five years
3 after the applicant's next birthday.

4 (b) Except as provided by Section 522.054, a commercial
5 driver's license [~~or commercial driver learner's permit~~] issued to
6 a person holding a Texas Class A, B, C, or M license that would
7 expire one year or more after the date of issuance of the commercial
8 driver's license [~~or commercial driver learner's permit~~] expires
9 five years after the applicant's next birthday.

10 (c) Except as provided by Section 522.054, a commercial
11 driver's license [~~or commercial driver learner's permit~~] issued to
12 a person holding a Texas Class A, B, C, or M license that would
13 expire less than one year after the date of issuance of the
14 commercial driver's license [~~or commercial driver learner's permit~~]
15 or that has been expired for less than one year expires five years
16 after the expiration date shown on the Class A, B, C, or M license.

17 (d) Except as provided by Section 522.054, a commercial
18 driver's license [~~or commercial driver learner's permit~~] issued to
19 a person holding a Texas Class A, B, C, or M license that has been
20 expired for at least one year but not more than two years expires
21 five years after the applicant's last birthday.

22 (f) Except as provided by Section 522.013, a non-domiciled
23 [~~nonresident~~] commercial driver's license other than a temporary
24 non-domiciled [~~nonresident~~] commercial driver's license under
25 Section 522.013(e) expires on [~~the earlier of~~]:

26 (1) the earlier of:

27 (A) the first birthday of the license holder

1 occurring after the fifth anniversary of the date of the
2 application; or

3 (B) the expiration date of the license holder's
4 lawful presence in the United States as determined by the
5 appropriate United States agency in compliance with federal law
6 ~~[the expiration date of the visa presented under Section~~
7 ~~522.021(a-1)(2)(B)]~~; or

8 (2) the first anniversary of the date of issuance, if
9 there is no definitive expiration date for the applicant's
10 authorized stay in the United States [expiration date of the Form
11 ~~I-94 Arrival/Departure record, or a successor document, presented~~
12 ~~under Section 522.021(a-1)(2)(C)]~~.

13 (h) A commercial learner's permit expires on the earlier of:
14 (1) the expiration date of the driver's license or
15 commercial driver's license; or
16 (2) the 181st day after the date of issuance.

17 SECTION 23. Section 522.052(e), Transportation Code, is
18 amended to read as follows:

19 (e) A commercial ~~driver~~ learner's permit may ~~not~~ be
20 renewed once for an additional 180 days without requiring the
21 applicant to retake the general and endorsement knowledge tests.

22 SECTION 24. Section 522.054(a), Transportation Code, is
23 amended to read as follows:

24 (a) Each original commercial driver's license ~~[and~~
25 ~~commercial driver learner's permit]~~ of a person 85 years of age or
26 older expires on the license holder's second birthday after the
27 date of the license application.

1 SECTION 25. Section [522.0541](#), Transportation Code, is
2 amended to read as follows:

3 Sec. 522.0541. DENIAL OF RENEWAL OF COMMERCIAL DRIVER
4 LICENSE OR LEARNER PERMIT. (a) In the manner ordered by a court in
5 another state in connection with a matter involving the violation
6 of a state law or local ordinance relating to motor vehicle traffic
7 control and on receipt of the necessary information from the other
8 state, the department may deny renewal of the commercial driver's
9 license or commercial learner's permit issued to a person by the
10 department for the person's:

11 (1) failure to appear in connection with a complaint
12 or citation; ~~[or]~~

13 (2) failure to pay or satisfy a judgment ordering the
14 payment of a fine and costs; or

15 (3) failure to answer a citation or to pay fines,
16 penalties, or costs related to the original violation.

17 (b) The information necessary under Subsection (a) may be
18 transmitted through the commercial driver's license information
19 system and must include:

20 (1) the name, date of birth, and the commercial
21 driver's license number of the license held by the person;

22 (2) notice that the person failed to appear as
23 required by law or failed to satisfy a judgment that ordered the
24 payment of a fine and costs in the manner ordered by the court;

25 (3) the nature of the violation; and

26 (4) any other information required by the department.

27 (c) The department shall apply any notification received

1 under Subsection (a) as a conviction to the person's driving
2 record.

3 SECTION 26. Section 522.055, Transportation Code, is
4 amended to read as follows:

5 Sec. 522.055. CLEARANCE NOTICE TO DEPARTMENT. On receipt
6 of notice from the other state that the grounds for denial of the
7 renewal of the commercial driver's license or commercial learner's
8 permit based on the license holder's previous failure to appear
9 or failure to pay a fine and costs previously reported by that state
10 under Section 522.0541 have ceased to exist, the department shall
11 renew the person's commercial driver's license or commercial
12 learner's permit.

13 SECTION 27. Sections 522.061(a), (b), and (c),
14 Transportation Code, are amended to read as follows:

15 (a) A person who holds or is required to hold a commercial
16 driver's license or a commercial learner's permit under this
17 chapter and who is convicted in another state of violating a state
18 law or local ordinance relating to motor vehicle traffic control
19 shall notify the department in the manner specified by the
20 department not later than the seventh day after the date of
21 conviction.

22 (b) A person who holds or is required to hold a commercial
23 driver's license or commercial learner's permit under this chapter
24 and who is convicted in this state or another state of violating a
25 state law or local ordinance relating to motor vehicle traffic
26 control, including a law regulating the operation of vehicles on
27 highways, shall notify the person's employer in writing of the

1 conviction not later than the seventh day after the date of
2 conviction.

3 (c) A notification to the department or an employer must be
4 in writing and must contain:

- 5 (1) the driver's full name;
- 6 (2) the driver's license or permit number;
- 7 (3) the date of conviction;
- 8 (4) the nature of the violation;
- 9 (5) a notation of whether the violation was committed
10 in a commercial motor vehicle;
- 11 (6) the location where the offense was committed; and
- 12 (7) the driver's signature.

13 SECTION 28. Section [522.062\(a\)](#), Transportation Code, is
14 amended to read as follows:

15 (a) If a person holds a driver's license, commercial
16 driver's license, or commercial learner's permit issued by another
17 state and is finally convicted of a violation of a state traffic law
18 or local traffic ordinance that was committed in a commercial motor
19 vehicle, the department shall notify the driver's licensing
20 authority in the issuing state of that conviction, in the time and
21 manner required by 49 U.S.C. Section 31311.

22 SECTION 29. Section [522.071\(a\)](#), Transportation Code, as
23 amended by Chapters 424 (S.B. 1372) and 499 (S.B. 333), Acts of the
24 80th Legislature, Regular Session, 2007, is reenacted and amended
25 to read as follows:

26 (a) A person commits an offense if the person drives a
27 commercial motor vehicle on a highway:

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5 (2) during a period that a disqualification of the
6 person's driver's license, permit, or privilege is in effect;

10 (4) during a period that the person was subject to an
11 order prohibiting the person from obtaining a driver's license or
12 permit; or

16 SECTION 30. Section 522.071(b), Transportation Code, is
17 amended to read as follows:

18 (b) It is not a defense to prosecution that the person had
19 not received notice of a disqualification imposed as a result of a
20 conviction that results in an automatic disqualification of the
21 person's driver's license, permit, or privilege.

22 SECTION 31. Sections 522.081(a), (b), (e), and (g),
23 Transportation Code, are amended to read as follows:

24 (a) This subsection applies to a violation committed while
25 operating any motor vehicle, including a commercial motor vehicle.
26 A person who holds a commercial driver's license or commercial
27 learner's permit is disqualified from driving a commercial motor

1 vehicle for:

2 (1) 60 days if convicted of:

3 (A) two serious traffic violations that occur
4 within a three-year period; or

5 (B) one violation of a law that regulates the
6 operation of a motor vehicle at a railroad grade crossing; or

7 (2) 120 days if convicted of:

8 (A) three serious traffic violations arising
9 from separate incidents occurring within a three-year period; or

10 (B) two violations of a law that regulates the
11 operation of a motor vehicle at a railroad grade crossing that occur
12 within a three-year period.

13 (b) Except as provided by this subsection, this [This]
14 subsection applies to a violation committed while operating any
15 type of motor vehicle, including a commercial motor vehicle[,
16 ~~except as provided by this subsection~~]. A person who holds a
17 commercial driver's license or commercial learner's permit is
18 disqualified from driving a commercial motor vehicle for one year:

19 (1) if convicted of three violations of a law that
20 regulates the operation of a motor vehicle at a railroad grade
21 crossing that occur within a three-year period;

22 (2) on first conviction of:

23 (A) driving a motor vehicle under the influence
24 of alcohol or a controlled substance, including a violation of
25 Section 49.04, 49.045, or 49.07, Penal Code;

26 (B) leaving the scene of an accident involving a
27 motor vehicle driven by the person;

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1 (C) using a motor vehicle in the commission of a
2 felony, other than a felony described by Subsection (d)(2);

3 (D) causing the death of another person through
4 the negligent or criminal operation of a motor vehicle; or

5 (E) driving a commercial motor vehicle while the
6 person's commercial driver's license or commercial learner's permit
7 is revoked, suspended, or canceled, or while the person is
8 disqualified from driving a commercial motor vehicle, for an action
9 or conduct that occurred while operating a commercial motor
10 vehicle;

11 (3) for refusing to submit to a test under Chapter 724
12 to determine the person's alcohol concentration or the presence in
13 the person's body of a controlled substance or drug while operating
14 a motor vehicle in a public place; or

15 (4) if an analysis of the person's blood, breath, or
16 urine under Chapter 522, 524, or 724 determines that the person:

17 (A) had an alcohol concentration of 0.04 or more,
18 or that a controlled substance or drug was present in the person's
19 body, while operating a commercial motor vehicle in a public place;
20 or

21 (B) had an alcohol concentration of 0.08 or more
22 while operating a motor vehicle, other than a commercial motor
23 vehicle, in a public place.

24 (e) A person may not be issued a commercial driver's license
25 or a commercial learner's permit and is disqualified from operating
26 a commercial motor vehicle if, in connection with the person's
27 operation of a commercial motor vehicle, the person commits an

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1 offense or engages in conduct that would disqualify the holder of a
2 commercial driver's license from operating a commercial motor
3 vehicle, or is determined to have had an alcohol concentration of
4 0.04 or more or to have had a controlled substance or drug present
5 in the person's body. The period of prohibition under this
6 subsection is equal to the appropriate period of disqualification
7 required by Subsections (a)-(d).

8 (g) A person who holds a commercial driver's license or
9 commercial learner's permit is disqualified from operating a
10 commercial motor vehicle if the person's driving is determined to
11 constitute an imminent hazard under 49 C.F.R. Section 383.52. The
12 disqualification is for the disqualification period imposed under
13 that section and shall be noted on the person's driving record.

14 SECTION 32. Section [522.084](#), Transportation Code, is
15 amended to read as follows:

16 Sec. 522.084. NOTIFICATION TO OTHER JURISDICTION. After
17 disqualifying a person who has a domicile in another state or in a
18 foreign jurisdiction, the department shall give notice of that fact
19 to the licensing authority of the state that issued the person's
20 driver's license, commercial driver's license, or commercial
21 [driver] learner's permit.

22 SECTION 33. Section [522.087](#), Transportation Code, is
23 amended by adding Subsection (d) to read as follows:

24 (d) A disqualification imposed under Section
25 [522.081\(a\)\(1\)\(B\)](#) or [522.081\(b\)\(2\)](#) or (d)(2) takes effect on the
26 10th day after the date the department issues the order of
27 disqualification.

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1 SECTION 34. Section [522.089](#), Transportation Code, is
2 amended to read as follows:

3 Sec. 522.089. EFFECT OF SUSPENSION, REVOCATION,
4 CANCELLATION, OR DENIAL OF LICENSE OR PERMIT UNDER OTHER LAW.

5 (a) A suspension, revocation, cancellation, or denial of a
6 driver's license, permit, or privilege under Chapter 521 or another
7 law of this state disqualifies the person under this chapter.

8 (b) If the department disqualifies a person under this
9 chapter [disqualifies a person] for a longer period than the other
10 law, the person is disqualified for the longer period.

11 SECTION 35. Effective January 30, 2016, Subchapter H,
12 Chapter 522, Transportation Code, is amended by adding Section
13 522.093 to read as follows:

14 Sec. 522.093. SELF-CERTIFICATION OF MEDICAL STATUS. The
15 department shall remove the commercial driver's license privilege
16 from the holder of a commercial driver's license or a commercial
17 learner's permit if the holder:

18 (1) fails to provide the department a
19 self-certification of operating status; or

20 (2) fails to provide and maintain with the department
21 a current medical examiner's certificate that is required based on
22 the self-certification.

23 SECTION 36. Section [522.105\(a\)](#), Transportation Code, is
24 amended to read as follows:

25 (a) On receipt of a report under Section [522.104](#), the
26 department shall disqualify the person from driving a commercial
27 motor vehicle under Section [522.081](#) beginning on the 45th day after

1 the date the report is received unless a hearing is granted.

2 SECTION 37. Section 524.001(10), Transportation Code, is
3 amended to read as follows:

4 (10) "Driver's license" has the meaning assigned by
5 Section 521.001. The term includes a commercial driver's license
6 or a commercial ~~driver~~ learner's permit issued under Chapter 522.

7 SECTION 38. Section 543.007, Transportation Code, is
8 amended to read as follows:

9 Sec. 543.007. NOTICE TO APPEAR: COMMERCIAL VEHICLE OR
10 LICENSE. A notice to appear issued to the operator of a commercial
11 motor vehicle or holder of a commercial driver's license or
12 commercial ~~driver~~ learner's permit, for the violation of a law
13 regulating the operation of vehicles on highways, must contain the
14 information required by department rule, to comply with Chapter 522
15 and the federal Commercial Motor Vehicle Safety Act of 1986 (Title
16 49, U.S.C. Section 2701 et seq.).

17 SECTION 39. Section 543.202(b), Transportation Code, is
18 amended to read as follows:

19 (b) The record must be made on a form or by a data processing
20 method acceptable to the department and must include:

21 (1) the name, address, physical description,
22 including race or ethnicity, date of birth, and driver's license
23 number of the person charged;

24 (2) the registration number of the vehicle involved;

25 (3) whether the vehicle was a commercial motor vehicle
26 as defined by Chapter 522 or was involved in transporting hazardous
27 materials;

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8 (6) whether a search of the vehicle was conducted and
9 whether consent for the search was obtained;

13 (8) the date of conviction; and

14 (9) the amount of the fine or forfeiture.

15 SECTION 40. Section 548.256, Transportation Code, is
16 amended to read as follows:

17 Sec. 548.256. PROOF OF COMPLIANCE WITH INSPECTION

18 REQUIREMENTS REQUIRED TO REGISTER VEHICLE. (a) Except as provided

19 by Subsection (b) or (c), before [~~Before~~] a vehicle may be

20 registered, the Texas Department of Motor Vehicles or the county

21 assessor-collector registering the vehicle shall verify that the

22 vehicle complies with [~~has passed~~] the applicable inspection

23 requirements under this chapter and Chapter 382, Health and Safety

24 Code [~~inspections required by this chapter~~], as indicated in the

25 department's inspection database. If the database information is

26 not available, the owner of the vehicle may present a vehicle

27 inspection report issued for the vehicle.

1 (b) The Texas Department of Motor Vehicles or a county
2 assessor-collector may register a vehicle that is not in compliance
3 with the applicable inspection requirements under this chapter or
4 Chapter 382, Health and Safety Code, if the vehicle is located in
5 another state at the time the applicant applies for registration or
6 registration renewal under Chapter 502 and the applicant certifies
7 that the vehicle is located in another state and the applicant will
8 comply with the applicable inspection requirements under this
9 chapter, Chapter 382, Health and Safety Code, and the department's
10 administrative rules regarding inspection requirements once the
11 vehicle is operated in this state. The Texas Department of Motor
12 Vehicles or the county assessor-collector shall add a notation to
13 the Texas Department of Motor Vehicles' registration database for
14 law enforcement to verify the inspection status of the vehicle.

15 (c) Subsection (a) does not apply to:

16 (1) a vehicle that is being registered under the
17 International Registration Plan as authorized by Section 502.091;
18 or
19 (2) a token trailer that is being registered under
20 Section 502.255, including a token trailer that is being registered
21 for an extended period under Section 502.0023.

22 SECTION 41. Subchapter I, Chapter 548, Transportation Code,
23 is amended by adding Section 548.605 to read as follows:

24 Sec. 548.605. OPERATING A VEHICLE WITHOUT COMPLYING WITH
25 INSPECTION REQUIREMENTS AS CERTIFIED; OFFENSE; DISMISSAL OF
26 CHARGE. (a) In this section, "working day" means any day other
27 than a Saturday, a Sunday, or a holiday on which county offices are

1 closed.

2 (b) A person commits an offense if:

3 (1) the person operates in this state a vehicle for
4 which a certification was provided under Section 548.256(b); and
5 (2) the vehicle is not in compliance with the
6 applicable inspection requirements under this chapter, Chapter
7 382, Health and Safety Code, or the department's administrative
8 rules regarding inspection requirements.

9 (c) A peace officer may require the owner or operator to
10 produce a vehicle inspection report issued for the vehicle if the
11 Texas Department of Motor Vehicles' registration database includes
12 a notation for law enforcement to verify the inspection status of
13 the vehicle.

14 (d) It is a defense to prosecution under Subsection (b) that
15 a passing vehicle inspection report issued for the vehicle is in
16 effect at the time of the offense.

17 (e) A court shall:

18 (1) dismiss a charge under this section if the
19 defendant remedies the defect:

20 (A) not later than the 20th working day after the
21 date of the citation or before the defendant's first court
22 appearance date, whichever is later; and

23 (B) not later than the 40th working day after the
24 applicable deadline provided by this chapter, Chapter 382, Health
25 and Safety Code, or the department's administrative rules regarding
26 inspection requirements; and

27 (2) assess an administrative fee not to exceed \$20

1 when the charge has been remedied under Subdivision (1).

2 (f) An offense under this section is a Class C misdemeanor.

3 SECTION 42. Article [62.060](#)(a), Code of Criminal Procedure,
4 is amended to read as follows:

5 (a) A person subject to registration under this chapter
6 shall apply to the department in person for the issuance of, as
7 applicable, an original or renewal driver's license under Section
8 [521.272](#), Transportation Code, an original or renewal personal
9 identification certificate under Section [521.103](#), Transportation
10 Code, or an original or renewal commercial driver's license or
11 commercial ~~driver~~ learner's permit under Section [522.033](#),
12 Transportation Code, not later than the 30th day after the date:

13 (1) the person is released from a penal institution or
14 is released by a court on community supervision or juvenile
15 probation; or

16 (2) the department sends written notice to the person
17 of the requirements of this article.

18 SECTION 43. Section [103.0213](#), Government Code, is amended
19 to read as follows:

20 Sec. 103.0213. ADDITIONAL FEES AND COSTS IN CRIMINAL OR
21 CIVIL CASES: TRANSPORTATION CODE. An accused or defendant, or a
22 party to a civil suit, as applicable, shall pay the following fees
23 and costs under the Transportation Code if ordered by the court or
24 otherwise required:

25 (1) administrative fee on dismissal of charge of
26 driving with an expired motor vehicle registration (Sec. [502.407](#),
27 Transportation Code) . . . not to exceed \$20;

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4 (3) administrative fee on remediation of charge of
5 operating a vehicle without complying with inspection requirements
6 as certified (Sec. 548.605, Transportation Code) . . . not to
7 exceed \$20;

8 (4) administrative fee for failure to appear for a
9 complaint or citation on certain offenses (Sec. [706.006](#),
10 Transportation Code) . . . \$30 for each violation; and

11 (5) [44] administrative fee for failure to pay or
12 satisfy certain judgments (Sec. 706.006, Transportation Code)
13 . . . \$30.

14 SECTION 44. Section 522.029(f), Transportation Code, as
15 added by Chapter 1156 (S.B. 99), Acts of the 75th Legislature,
16 Regular Session, 1997, is repealed.

17 SECTION 45. Not later than December 31, 2015, the Texas
18 Department of Public Safety shall delete or redact from its records
19 any fingerprint collected from an applicant for a driver's license
20 or personal identification certificate in a manner that does not
21 comply with Section [521.142\(b\)\(1\)](#), Transportation Code.

22 SECTION 46. (a) The changes in law made by this Act to
23 Sections [522.011](#), [522.042](#), and [522.071](#), Transportation Code, apply
24 only to an offense that is committed on or after the effective date
25 of this Act. An offense committed before the effective date of this
26 Act is governed by the law in effect on the date the offense was
27 committed, and the former law is continued in effect for that

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1 purpose. For purposes of this subsection, an offense was committed
2 before the effective date of this Act if any element of the offense
3 occurred before that date.

4 (b) The change in law made by this Act to Section [522.021](#),
5 Transportation Code, applies only to an application for a license
6 that is filed on or after the effective date of this Act.

7 (c) The changes in law made by this Act to Sections [522.029](#),
8 [522.033](#), and [522.051](#), Transportation Code, apply only to a license
9 or permit that is issued or renewed on or after the effective date
10 of this Act.

11 SECTION 47. Except as otherwise provided by this Act, this
12 Act takes effect January 1, 2016.

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President of the Senate

Speaker of the House

I certify that H.B. No. 1888 was passed by the House on April 16, 2015, by the following vote: Yeas 142, Nays 4, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1888 on May 28, 2015, by the following vote: Yeas 136, Nays 7, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1888 was passed by the Senate, with amendments, on May 25, 2015, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor