

BILL ANALYSIS

H.B. 3376
By: Holland
Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note the problems that can arise when the Department of Public Safety (DPS) attempts to provide notices regarding certain enforcement proceedings and actions to an individual for whom DPS does not have a valid mailing address. H.B. 3376 seeks to remedy this situation by giving DPS the option to provide such notices electronically.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3376 amends the Transportation Code to authorize the notice that the Department of Public Safety (DPS) provides a person who has been restricted to the use of a motor vehicle equipped with an ignition interlock device regarding expiration of the person's driver's license to be provided by first class mail or, if the person has provided an email address to DPS and has elected to receive notice electronically, by email. The bill requires DPS to send the following notices by first class mail or, if the recipient of the notice has provided an email address to DPS and has elected to receive notice electronically, by email: a notice of a hearing on the cancellation of a certificate of self-insurance and a notice of suspension of a driver's license and vehicle registration under the Motor Vehicle Safety Responsibility Act for certain uninsured owners or operators involved in an accident that results in bodily injury or death or in damage to the property of one person of at least \$1,000. The bill requires DPS to notify an affected person of a DPS determination of the probability of the person's liability for damages as a result of such an accident and the amount of security sufficient to satisfy any judgment for those damages by personal service, by first class mail, or by email if the person has provided an email address to DPS and has elected to receive notice electronically. The bill replaces the requirement for DPS to mail in a timely manner a notice to each person whose driver's license and vehicle registrations are suspended for a subsequent conviction of operating a motor vehicle in violation of the motor vehicle liability insurance requirement with the requirement for DPS to send such a notice in a timely manner.

H.B. 3376 authorizes DPS to send the following notices by email, as an alternative to other specified means of notification, if the person has provided an email address to DPS and has elected to receive notice electronically:

- a notice of suspension or revocation of a person's driver's license;

- a revocation, suspension, or prohibition order for a person who does not successfully complete by the required deadline an educational program designed to rehabilitate persons who operated motor vehicles while intoxicated or an educational program for certain repeat intoxication offenders;
- a summons to a hearing on a DPS determination of the probability of a person's liability for damages as a result of a motor vehicle accident that results in bodily injury or death or in damage to the property of one person of at least \$1,000 and the amount of security sufficient to satisfy any judgment for those damages;
- a notice of a suspension of a driver's license and vehicle registration for a person who is required to maintain a motor vehicle liability insurance policy or bond under the Motor Vehicle Safety Responsibility Act and whose policy or bond is canceled or terminated or who does not provide other evidence of financial responsibility on the request of DPS;
- a notice of the assignment of a fifth point on a person's driver's license under the driver responsibility program; and
- a notice of a surcharge assessed on a person's driver's license under the driver responsibility program.

EFFECTIVE DATE

September 1, 2017.