

**SUBJECT:** Expanding grounds for denying licenses to juveniles

**COMMITTEE:** Juvenile Justice and Family Issues — favorable, without amendment

**VOTE:** 6 ayes — Goodman, Staples, Naishtat, A. Reyna, Smith, Williams  
0 nays  
3 absent — J. Jones, McClendon, McReynolds

**WITNESSES:** For — M. L. O’Neal, Texas Municipal Courts Association; Shanna Igo, Texas Municipal League; Stella Ortiz Kyle  
Against — None  
On — Linda Boline, Texas Department of Public Safety

**BACKGROUND :** Under the Transportation Code, the Department of Public Safety (DPS) may not issue any license to a juvenile who a court has reported for failure to appear in court or pay a fine in connection with a traffic offense.

**DIGEST:** HB 1055 would prohibit the DPS from issuing any license to a person reported by a court for failure to appear or pay a fine for a misdemeanor punishable by fine only, including a municipal ordinance, committed when the person was under 17 years of age.  
This prohibition would not apply if the court had filed an additional report on final disposition of the case.  
The bill would take effect September 1, 1997.

**SUPPORTERS SAY:** HB 1055 would reinforce the policy that a driver’s license is a privilege that must be earned in part by showing responsibility. Currently, juveniles may still obtain a driver’s license even if they have failed to appear in court or pay a fine in connection with a misdemeanor that is not a traffic offense already covered in the statute. This bill would encourage juveniles to comply with court orders, reward those who do, and appropriately penalize those who do not.

This bill also would save the state money in situations where there is clear precedent for withholding a license. Currently the DPS must conduct an administrative hearing before it can deny license to juveniles in these situations.

OPPONENTS  
SAY:

Denial of a driver's license should only be used as a punishment when it is directly related to the offense. Under current law, the DPS may not issue any license to a juvenile whom a court has reported to the DPS for failure to appear in court or pay a fine in connection with *a traffic* offense. HB 1055 would expand denial of driver's licenses to include juveniles who fail to appear in court or pay a fine in connection with any misdemeanor punishable only by a fine. There has been an increasing trend of using driver's licenses to punish juveniles for all types of behavior not related to driving, and this bill would continue that unfair trend. A basic tenet of our legal system is that the punishment should fit the crime. Withholding a driver's license for a misdemeanor offense not related to a traffic violation would undermine this fundamental connection.