

- SUBJECT:** Requiring drivers of commercial vehicles to speak and read English
- COMMITTEE:** Transportation — favorable, without amendment
- VOTE:** 8 ayes — Krusee, Phillips, Harper-Brown, Deshotel, Harless, Hill, Macias, Murphy
- 0 nays
- 1 present, not voting — Haggerty
- WITNESSES:** For — (*Registered, but did not testify:* Pat Carlson, Texas Eagle Forum)
- Against — Luis Fegueroa, Mexican American Legal Defense and Educational Fund; (*Registered, but did not testify:* Benny Hernandez, American Civil Liberties Union of Texas)
- On — (*Registered, but did not testify:* Ron Coleman, Major Larry Cuny, Texas Department of Public Safety)
- BACKGROUND:** Transportation Code, ch. 522 defines a commercial motor vehicle as a vehicle or combination of vehicles that has a loaded weight of more than 26,000 pounds, is designed to transport 16 or more passengers, including the driver, or is transporting hazardous materials. Farm machinery, fire-fighting and other emergency vehicles, military vehicles, recreational vehicles, and air carrier vehicles used at airports are not considered commercial motor vehicles.
- To qualify for a commercial driver’s license, an applicant must pass a knowledge and skills tests administered by the Department of Public Safety, which also is required to test the applicant’s ability to understand the highway traffic signs and signals that are in written in English.
- DIGEST:** HB 1274 would require the Department of Public Safety to test the ability of an applicant for a commercial driver’s license to speak and read the English language, including the ability to understand highway traffic signs and signals written in English.

Driving a commercial vehicle without meeting this requirement would be a class C misdemeanor (maximum fine of \$500).

The bill would take effect September 1, 2007, and would apply to drivers who applied for a commercial license on or after that date.

**SUPPORTERS
SAY:**

HB 1274 would improve public safety by ensuring that drivers of commercial vehicles, including buses, had the ability to speak and write the English language. Current standards requiring only that a driver be able to read traffic signs in English are not sufficient to ensure public safety, particularly during emergencies or in dangerous traffic situations, such as lane closures or icy overpasses.

An example of how a driver's inability to speak English can threaten the safety of the public occurred during the Hurricane Rita evacuation. The driver of a bus that caught fire did not speak English and may have been able to evacuate people from the bus sooner had he been able to communicate with them in English.

Drivers of commercial vehicles are responsible for passenger buses and trucks carrying thousands of pounds. These drivers need to be able to understand and respond quickly to road signs and electronic messages in English.

**OPPONENTS
SAY:**

There is no evidence that knowledge of English has any relationship to driving ability. Current law already requires applicants for a commercial license to demonstrate that they can comprehend road signs in English. This is sufficient to protect public safety. It is not necessary for a driver to be fluent in English in order to be a safe driver.

An English language test could discourage drivers from applying for a commercial license, which could threaten public safety by leading to more unlicensed commercial drivers on the road. Testing commercial drivers for English proficiency could lead to establishing an English language test for all drivers.

NOTES:

The companion bill, SB 546 by Corona, was heard in the Senate Transportation and Homeland Security Committee on March 7 and left pending.