

SUBJECT: Extending suspension of provisional driver's license after third violation

COMMITTEE: Homeland Security and Public Safety — committee substitute recommended

VOTE: 7 ayes — S. Miller, Fletcher, Beck, Driver, Flynn, Peña, Walle
0 nays
2 absent — Burnam, Mallory Caraway

WITNESSES: For — Bill Lewis, Mothers Against Drunk Driving
Against — None
On — *(Registered, but did not testify):* Rebecca Davio, Texas Department of Public Safety

BACKGROUND: Transportation Code, 521.123 requires issuance of provisional driver's licenses to drivers younger than 21 years of age.
Transportation Code, sec. 521.292 (a) (8), requires the Department of Public Safety (DPS) to suspend a provisional license for 90 days if the driver has committed two or more moving violations within a 12-month period and does not request a hearing.

DIGEST: CSHB 31 would amend Transportation Code, sec. 521.293 to require that DPS suspend a provisional driver's license for 180 days if the driver committed three or more moving violations during a 12-month period and did not request a hearing.
The bill would take effect on September 1, 2011, and would apply only to offenses that occur on or after that date.

SUPPORTERS SAY: CSHB 31 is part of the continuing legislative effort to encourage safe driving habits among young drivers. They make up only about 7 percent of drivers in the state, yet cause 14 percent of the crashes. The bill would provide a meaningful sanction for youthful drivers who display a remarkable lack of maturity in operating a vehicle. Losing a license for six

months would be the type of sanction that would get the attention of teenagers because driving is an important part of their sense of independence and self-worth.

Temporary suspensions proposed under CSHB 31 would not be comparable to suspensions issued to older drivers. Those suspended as part of the Driver Responsibility Program typically expect never to get their driver's licenses back. A teenager would have a different perspective. For example, a young driver could act irresponsibly over the Thanksgiving break but make it a priority to regain driving privileges for the following summer. If young drivers cannot reform after collecting three moving violations, they probably should not be allowed to drive until their attitudes and actions improve.

OPPONENTS
SAY:

CSHB 31 would not be an effective deterrent to young drivers with multiple offenses, especially to those who have already had a 90-day suspension. The experience with the Driver Responsibility Program that sanctions drivers of all ages shows that a disturbing number of those with suspended licenses continue to drive.