

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 280  
By: Bivins  
Criminal Justice  
4/23/1999  
Committee Report (Substituted)

### **DIGEST**

Currently, the Department of Public Safety is not authorized to offer an intermediate driver's license to a person between 16 and 18 years old. A graduated driver's license restricts certain age drivers to certain driving activities and other restrictions, such as daytime-only driving and supervised driving. As the beginning driver obtains more experience, driving restrictions are lifted incrementally. C.S.S.B. 280 would create a graduated driver's license system.

### **PURPOSE**

As proposed, C.S.S.B. 280 enacts a graduated driver's license and similar driving requirements.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 521.001(a), Transportation Code, by amending Subdivision (3) and adding Subdivision (9), to redefine "driver's license" and define "traffic offense."

SECTION 2. Amends Section 521.203, Transportation Code, to prohibit the Department of Public Safety (DPS) from issuing a Class A or Class B driver's license to a person under 18 years of age unless that person has held an intermediate license for at least six months, completed the appropriate education course, and is not eligible under Section 521.2041(b), Transportation Code. Makes conforming changes.

SECTION 3. Amends Chapter 521J, Transportation Code, by adding Section 521.2041, as follows:

Sec. 521.2041. **ADDITIONAL RESTRICTIONS ON MINOR.** Authorizes the DPS to issue a Class C driver's license to a person under 18 years of age only if the applicant has held an intermediate driver's license or hardship license for at least six months. Prohibits the DPS from issuing a Class A, B, or C driver's license to a person under 18 if the applicant was alleged to have committed a traffic offense, six months prior to the application or one year prior to an intermediate license application, and if the allegation resulted in a final adjudication or conviction, or the allegation has not been finally disposed of before the application. Prohibits a person under 18 years of age from operating a motor vehicle unless all passengers are secured under an appropriate safety seat belt.

SECTION 4. Amends Section 521.222(d), Transportation Code, to raise the minimum age requirement from 18 to 21 years of age for a person authorized to accompany an operator of a motor vehicle with a instruction permit. Requires that person to be the only person in the seat by the operator.

SECTION 5. Amends Chapter 521K, Transportation Code, by adding Section 521.2221, as follows:

Sec. 521.2221. **INTERMEDIATE LICENSE.** Authorizes DPS to issue an intermediate license to a person who is between 16 and 18 years of age, meets the requirements in Sections 521.204(2), (3), and (4), and is not ineligible under Section 521.2041(b), Transportation Code. Prohibits a holder of an intermediate license from operating a motor vehicle between 11 p.m. and 5 a.m., unless accompanied in the manner required by Section 521.222(d)(2), or traveling between the holder's home and place of employment.

SECTION 6. Amends Section 521.223(b), Transportation Code, to require an applicant for a license under Subsection (a) to be at least 15 years of age but under 16 years of age, rather than to be 15 years of age or older.

SECTION 7. Makes application of this Act prospective.

SECTION 8. Effective date: January 1, 2000.

SECTION 9. Emergency clause.

### **SUMMARY OF COMMITTEE CHANGES**

#### SECTION 2.

Amends Section 521.203, Transportation Code, to delete a proposed provision that prohibits DPS from issuing a Class A or Class B driver's license to a person who has held a hardship license for at least six months preceding the date of the application.

#### SECTION 3.

Amends Section 521.2041(a), Transportation Code, to delete a proposed provision that authorizes DPS to issue a Class C driver's license to applicants under 18 years of age only if the applicant has held a hardship license for at least six months preceding the date of the application.

#### SECTION 6.

Proposes amendments to Section 521.223(b), Transportation Code, regarding a requirement for a license under Subsection (a).

Redesignates SECTIONS 6-8 as SECTIONS 7-9.

#### SECTION 7.

Changes effective date from September 1, 2000 to January 1, 2000.