

BILL ANALYSIS

Senate Research Center
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H.B. 2337
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Transportation & Homeland Security
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

A driver's license is the most common form of identification used by individuals in Texas. Currently, the Department of Public Safety (DPS) issues driver's licenses to individuals who fulfill various requirements to establish proof of identity satisfactory to DPS. H.B. 2337 gives DPS the ability to use image comparison technology as part of an image verification system to ensure the identity of the individual requesting a driver's license.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Section 502.1715, Transportation Code, to read as follows:

Sec. 502.1715. ADDITIONAL FEE FOR CERTAIN DEPARTMENT PROGRAMS.

SECTION 2. Amends Sections 502.1715(b) and (c), Transportation Code, as follows:

(b) Requires fees collected under this section (Additional Fee for Motor Vehicle Financial Responsibility Verification Program) to be deposited to the credit of the state highway fund before August 31, 2007, rather than 2005. Requires the money to be used by the Department of Public Safety (DPS) to support the DPS's reengineering of the driver's license system to provide for the issuance of a driver's license or personal identification certificate, to include use of image comparison technology, rather than not to include use of biometric information. Deletes the authorization to use the money to conduct certain feasibility studies. Makes nonsubstantive changes.

(c) Makes a conforming change.

SECTION 3. Amends Section 521.001(a), Transportation Code, by adding Subdivision (9) to define "image comparison technology."

SECTION 4. Amends Subchapter C, Chapter 521, Transportation Code, by adding Section 521.059, as follows:

Sec. 521.059. IMAGE VERIFICATION SYSTEM. (a) Requires DPS to establish an image verification system based on certain identifiers collected by DPS.

(b) Requires DPS to authenticate the facial image and thumbprints or fingerprints provided by an applicant for a personal identification certificate, driver's license, or commercial driver's license or permit using image comparison technology to ensure that the applicant is issued only one original license, permit, or certificate, does not fraudulently obtain a duplicate license, permit, or certificate, and does not commit other fraud in connection with the application for a license, permit, or certificate.

(c) Requires DPS to use the image verification system established under this section to aid other law enforcement agencies in establishing the identity of a

victim of a disaster or crime that a local law enforcement agency is unable to establish or conducting an investigation of criminal conduct.

SECTION 5. Amends Section 521.142(b), Transportation Code, to require the application for an original license to include a photograph of the applicant and the signature of the applicant.

SECTION 6. Amends Section 730.010, Transportation Code, to authorize a state agency to use a thumb or finger print obtained in connection with the issuance of a license, permit, or certificate to the individual to use the image to verify the identity of the individual as provided by Section 521.059.

SECTION 7. Makes application of this Act prospective.

SECTION 8. Effective date: September 1, 2005.