

BILL ANALYSIS

Senate Research Center
80R5812 MTB-D

S.B. 546
By: Carona
Transportation and Homeland Security
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Department of Public Safety (DPS) is not authorized to administer an examination relating to a commercial driver's license applicant's proficiency in the English language. An applicant is only required to be able to communicate to DPS personnel that they would like to receive their examination in their native language, and DPS is required to provide such an examination in the requested language. DPS is authorized to issue a commercial driver's license that is restricted to intrastate commerce, even if the person cannot communicate in which language they would like to be tested. All road signs are printed predominantly in English.

As proposed, S.B. 546 requires persons who are issued a commercial driver's license to pass a proficiency examination on reading and writing the English language.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 522.023(b) and (g), Transportation Code, as follows:

- (b) Requires the knowledge and skills test for driving a commercial motor vehicle to be conducted by the Department of Public Safety (DPS) in English.
- (g) Requires DPS to test an applicant's ability to speak and read the English language.

SECTION 2. Amends Section 522.043, Transportation Code, to delete existing text relating to a person's inability to sufficiently read and speak English as a reason DPS is authorized to prohibit a person from driving a commercial vehicle in interstate commerce. Deletes existing text prohibiting DPS from administering examinations relating to an applicants English proficiency and authorizing for DPS to issue a commercial driver's license (license) for operation in intrastate commerce to a person who cannot sufficiently communicate their need for a license. Makes a conforming change.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2007.