

SUBJECT: Residency requirements for issuing certain commercial driver's licenses

COMMITTEE: Homeland Security and Public Safety —favorable, without amendment

VOTE: 8 ayes — Pickett, Fletcher, Cortez, Dale, Kleinschmidt, Lavender, Sheets, Simmons

0 nays

1 absent — Flynn

WITNESSES: For — John A. Miterko, Texas Coalition of Veterans Organizations

Against — None

On — (*Registered, but did not testify*: Shawn Deabay, Texas Veterans Commission; Michael Terry, Texas Department of Public Safety)

BACKGROUND: Transportation Code, sec. 522.022, prohibits the Department of Public Safety from issuing a commercial driver's license, other than a nonresident license, to anyone who is not a resident of Texas.

Congress in 2012 passed the Military Commercial Driver's License Act, which allows states to waive residency requirements for issuing commercial driver's licenses to service members living in the state.

DIGEST: HB 860 would waive state residency requirements when issuing commercial driver's licenses to members of the U.S. military who had a domicile in another state but were assigned to a duty station in Texas.

The bill would take effect September 1, 2013.

SUPPORTERS SAY: HB 860 would remove for members of the U.S. military the roadblock of having to establish state residency to obtain a commercial driver's license in Texas. The measure would ease the transition to civilian life for many service members leaving the military and would boost a trucking industry in need of a skilled workforce. Reservists and service members in the National Guard also would benefit from a faster path to a commercial driver's license.

Typically, there is some lag time for newly arrived service members in obtaining the documents they need to prove they have lived in Texas for 30 days, a requirement to receive a commercial driver's license. Applicants for a commercial driver's license must provide two documents to verify Texas residency, such as a utility statement, rental/lease agreement, Texas motor vehicle registration, or a valid and unexpired Texas voter registration card.

HB 860 would help a set of workers who had received the military's robust training but sometimes struggle to find jobs. The U.S. Bureau of Labor Statistics reported an unemployment rate of 9.9 percent in March 2013 for veterans who served on active duty at any time since September 2001. The national jobless rate for the same period was 7.7 percent.

The bill would help connect members of the military to a trucking industry with high demand for drivers. A commercial driver's license is required to operate a heavy truck, a vehicle used to transport hazardous material, or a bus. Nationally, employment of heavy truck drivers is projected to increase by about 21 percent this decade, according to federal estimates. Trucking in Texas also is expected to boom, partly because of the state's burgeoning oil and gas industry.

Under HB 860, service members who were issued a commercial driver's license would have to meet commercial driving standards set by the federal government so the bill would pose no risk to public safety.

**OPPONENTS
SAY:**

Although the idea behind HB 860 is well intentioned, waiving residency requirements for military service members seeking a commercial driver's license is unnecessary. Establishing residency in Texas is not onerous. The state accepts a variety of documents to verify residency, from utility bills and proof of automobile insurance to mail from financial institutions.

NOTES:

The companion bill, SB 229 by Davis, was placed on the Senate Intent calendar on March 27.