

- SUBJECT:** Pilot program to allow certain counties to offer licensing services
- COMMITTEE:** Homeland Security and Public Safety — favorable, without amendment
- VOTE:** 9 ayes — Pickett, Fletcher, Cortez, Dale, Flynn, Kleinschmidt, Lavender, Sheets, Simmons
- 0 nays
- SENATE VOTE:** On final passage, April 16 — 29-0
- WITNESSES:** (*On House companion bill, HB 827:*)  
For — Jim Allison, County Judges and Commissioners Association of Texas; Ronnie Keister; John Lee Norman, Garza County; (*Registered, but did not testify:* John Thompson, Polk County; Michael Vasquez, Texas Conference of Urban Counties)
- Against — (*Registered, but did not testify:* Claire Wilson James)
- On — David Palmer and Michael Terry; Texas Department of Public Safety (*Registered, but did not testify:* Tom Benavides and Jim Kilchenstein, Texas Department of Public Safety)
- BACKGROUND:** According to Attorney General opinion GA-0917, the Department of Public Safety (DPS) lacks statutory authority to contract with a county to allow county employees to perform DPS duties relating to the issuance of driver's licenses and personal identification certificates. Similarly, counties lack the statutory authorization to participate in such a program.
- DIGEST:** SB 1729 would allow DPS to establish a pilot program under which the department could enter into an agreement with a county commissioner court to allow county employees to provide services relating to the issuance of renewal and duplicate driver's licenses and election and personal identification certificates in county offices, including:
- taking photographs;
  - administering vision tests;
  - updating a driver's license, ID card, or election ID certificate;

- collecting information on organ donation;
- collecting and remitting fees to DPS; and
- performing other related functions.

The pilot program could include a maximum of eight counties, including a maximum of three with populations of 50,000 or fewer, a maximum of three with populations of 50,001 to 1 million, and a maximum of two with populations greater than 1 million.

DPS would be required to provide to a participating county all equipment necessary to perform these services, although the department could not train the county to administer a driver's license examination. A participating county could collect an additional fee up to \$5 for each transaction relating to a driver's license or ID card. A county office in a participating county could decline or consent to provide these services after submitting written consent to the commissioner's court.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2013.

**SUPPORTERS  
SAY:**

SB 1729 would increase government efficiency and enhance convenience for citizens by allowing counties in the pilot program to enter into an agreement with DPS to renew driver's licenses and identification certificates. Currently, up to 80 counties do not have DPS offices, and their residents must travel long distances to renew their licenses and certificates. This problem was exacerbated when DPS recently closed offices in some counties and did not have the authority to simply allow counties to provide these services.

Allowing certain counties to provide these services would benefit consumers and increase government efficiency. Consumers could see shorter lines at DPS offices because the bill would remove some of the burden from DPS.

Because SB 1729 would be permissive, DPS and the county would only enter into an agreement if both sides consented. This would give the department and the county the flexibility to consider the costs and benefits of the agreement, without forcing either side to unwillingly spend resources.

OPPONENTS  
SAY:

Although the pilot program would limit the number of counties that could participate, DPS would still have to commit resources to provide the necessary equipment and training for the counties in the program. Additionally, aside from requiring participation by counties of different sizes, the bill would not specify how counties would be selected to participate in the pilot program.

NOTES:

HB 2008 by Taylor, a similar bill, was reported favorably on April 26 by the House Homeland Security and Public Safety Committee.

HB 827 by K. King, a similar bill, was passed by the House 139-6-1 and was referred to the Senate Transportation Committee on May 7.

The HRO analysis of HB 827 appears in the April 30 *Daily Floor Report*, Number 62.