

BILL ANALYSIS

Senate Research Center
76R2759 DWS-D

S.B. 280
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Criminal Justice
3/22/1999
As Filed

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. S.B. 280 creates a three-tiered, graduated driver's license: an instruction permit (12 months), an intermediate driver's license (6 months), and a full provisional license.

PURPOSE

As proposed, 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 or a hardship 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. Makes application of this Act prospective.

SECTION 7. Effective date: September 1, 2000.

SECTION 8. Emergency clause.