

BILL ANALYSIS

Senate Research Center
78R5717 JD-F

C.S.S.B. 191
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Intergovernmental Relations
2/19/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, the Administrative License Revocation (ALR) program requires the Texas Department of Public Safety (DPS) to provide a technical supervisor for ALR hearings in driving while intoxicated (DWI) cases. The ALR program provides for the administrative suspension of driver's licenses for those arrested for DWI. Counties that maintain certified breath alcohol testing programs often provide the technical supervisor for such hearings, but there is no provision to allow counties to recover that cost. The Transportation Code currently sets the fee for reinstatement or issuance of a license after suspension for a DWI offense at \$125. C.S.S.B. 191 would increase the fee required from \$125 to \$140. Fifteen dollars of the increased fee would be earmarked to defray the cost of a certified technical supervisor's services used to enforce Texas' ALR program and would be remitted only to those counties that maintain certified breath alcohol testing programs.

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 Section 524.051, Transportation Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Requires a person whose driver's license is suspended under this section to pay a fee of \$140, rather than \$125, in order to have the license reinstated.

(c) Provides that, if the person was arrested in a county with a breath alcohol testing program that does not use one of the Department of Public Safety's (DPS) certified technical supervisors, DPS must remit \$15 of the fee to that county's treasurer to be used to defray the costs of the county's certified technical supervisor services.

SECTION 2. Effective date: September 1, 2003.

Makes application of this act prospective.

SUMMARY OF COMMITTEE CHANGES

SECTION 1. Differs from S.B. 191 as filed, by replacing the qualification that the arresting officer be from a county with a breath alcohol testing program that does not use one of the Department of Public Safety's (DPS) certified technical supervisors, with the qualification that the arrest take place in a county with a breath alcohol testing program that does not use one of DPS's certified technical supervisors.