

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1783
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Transportation & Homeland Security
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Driver's licenses are an important means of identification in Texas. Though people primarily obtain driver's licenses as a requirement for driving, the license is relied on in many situations as an identifying document. For example, driver's licenses may be used to board an intra-U.S. flight, to apply for any number of financial services, to prove a person's identity for the purchase of a weapon, and for many other purposes.

For these reasons, it is important that the processes for obtaining a driver's license ensures, as much as possible, that the license reflects the holder's true identity.

Currently, Section 521.142(a), Transportation Code, requires the Department of Public Safety (DPS) to accept Texas Department of Criminal Justice (TDCJ) identification cards as satisfactory proof of identity for purposes of a driver's license application.

DPS's acceptance of identification cards issued by TDCJ as satisfactory proof of identity reduces the accuracy of the driver's license process because TDCJ identification cards have been found to contain inaccurate personal identification information. By no longer requiring DPS to accept TDCJ identification cards, DPS will be able to accept such identification cards if DPS believes that the cards are sufficiently accurate to support a driver's license application.

C.S.S.B. 1783 amends current law relating to the use of an offender identification card or similar form of identification as proof of identity for an applicant for a driver's license or commercial driver's license.

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 521.142(a), Transportation Code, to require the Department of Public Safety (DPS) to accept as satisfactory proof of identity under this subsection an offender identification card or similar form of identification issued to an inmate by the Texas Department of Criminal Justice (TDCJ) if the applicant also provides supplemental verifiable records or documents that aid in establishing identity.

SECTION 2. Amends Subchapter G, Chapter 521, Transportation Code, by adding Section 521.1421, as follows:

Sec. 521.1421. INMATE IDENTIFICATION VERIFICATION PILOT PROGRAM. (a) Requires DPS to participate in an inmate identification verification pilot program for the purpose of issuing driver's licenses and personal identification certificates to inmates of TDCJ.

(b) Authorizes DPS, under the pilot program, to enter into a contract with TDCJ and the Department of State Health Services to establish an identification verification process for inmates of TDCJ and issue a driver's license or a personal identification certificate to an inmate whose identity has been confirmed through

the verification process and who otherwise meets the requirements for the issuance of the driver's license or personal identification certificate.

(c) Authorizes the governing bodies of the participating agencies to agree to continue the pilot program on a permanent basis at the conclusion of the program.

(d) Requires DPS and TDCJ, not later than December 1, 2010, to jointly issue a report to the standing committees of the legislature with jurisdiction over issues related to criminal justice and homeland security addressing the status and effectiveness of the pilot program, and an analysis of the feasibility of implementing a statewide program based on the pilot program.

SECTION 3. Amends Section 522.021(c-1), Transportation Code, to require DPS, if DPS requires proof of an applicant's identity as part of an application under this section, to accept as satisfactory proof of identity an offender identification card or similar form of identification issued to an inmate by TDCJ if the applicant also provides supplemental verifiable records or documents that aid in establishing identity.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2009.