

BILL ANALYSIS

Senate Research Center

S.B. 1105
By: Duncan
Transportation
3/25/2013
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In many parts of the state, and especially in rural areas, Texans are unable to physically renew their driver's licenses or election identification certificates due to the fact that those services are simply unavailable. Under current statute, only the Department of Public Safety of the State of Texas (DPS) has the authority to administrate renewals, and because of these limitations, there are more than 60 counties statewide in which citizens are altogether without direct access to driver's license renewal services. Of the counties that do have services, many are served merely on a biweekly basis.

This bill amends the Transportation Code to authorize DPS to enter into an agreement with certain counties to train the staff of a county office to provide services related to the issuance of renewal and duplicate driver's licenses, election identification certificates, and personal identification certificates.

Under this proposal, state revenue from the issuance of the licenses and certificates collected by a county clerk would be remitted to DPS, and counties would be authorized to collect an additional fee of up to \$1 for administrative costs. The bill's provisions apply only to counties with a population of 50,000 or less.

As proposed, S.B. 1105 amends current law relating to an agreement between the Department of Public Safety of the State of Texas and a county for the provision of renewal and duplicate driver's licenses and other identification certificate services in certain counties and authorizes a fee.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Department of Public Safety of the State of Texas in SECTION 1 (Section 521.008, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 521, Transportation Code, by adding Section 521.008, as follows:

Sec. 521.008. AGREEMENT REGARDING THE PROVISION OF RENEWAL AND DUPLICATE DRIVER'S LICENSES AND OTHER IDENTIFICATION CERTIFICATE SERVICES. (a) Provides that this section applies only to a county that has a population of 50,000 or less.

(b) Authorizes the Department of Public Safety of the State of Texas (DPS) to enter into an agreement with the commissioners court of a county to train county employees to provide services at a county office relating to the issuance of renewal and duplicate driver's licenses, election identification certificates, and personal identification certificates, including:

- (1) taking photographs;

(2) updating a driver's license, election identification certificate, or personal identification certificate to change a name, address, or photograph;

(3) distributing and collecting information relating to donations under Section 521.401 (Statement of Gift);

(4) collecting fees; and

(5) performing other basic ministerial functions and tasks necessary to issue renewal and duplicate driver's licenses, election identification certificates, and personal identification certificates.

(c) Requires a participating county to remit to DPS for deposit as required by this chapter fees collected for the issuance of a renewal or duplicate driver's license or personal identification certificate.

(d) Requires DPS to adopt rules to administer this section.

(e) Requires the services to be provided through the county tax assessor-collector unless the county tax assessor-collector declines to provide the services. Authorizes the commissioners court to provide the services through any consenting county department if the county tax assessor-collector declines.

SECTION 2. Amends Subchapter R, Chapter 521, Transportation Code, by adding Section 521.428, as follows:

Sec. 521.428. COUNTY FEE. (a) Authorizes a county that provides services under an agreement described by Section 521.008 to collect an additional fee of \$1 for each transaction provided that relates to driver's license and personal identification certificate services only.

(b) Authorizes the county, notwithstanding Sections 521.425 (Remittance of Fees and Charges) and 521.427 (Disposition of Fees), to retain money collected under this section to cover the costs of providing services described by Subsection (a).

SECTION 3. Effective date: upon passage or September 1, 2013.