

BILL ANALYSIS

Senate Research Center
88R14378 MZM-F

H.B. 3645
By: Guillen (LaMantia)
Transportation
5/11/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Individuals with valid out-of-state driver's licenses seeking to obtain a driver's license or commercial driver's license in Texas face certain unnecessary hurdles. H.B. 3645 seeks to remove some of these hurdles, specifically with respect to the requirement to submit proof of completion of a driver's education course and certain unnecessarily burdensome requirements for obtaining an authorization to operate a motorcycle.

H.B. 3645 amends current law relating to requirements for the issuance of certain driver's licenses and commercial driver's licenses.

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 521.148, Transportation Code, by adding Subsection (d), as follows:

(d) Provides that Section 521.148 (Application for Class M License or Authorization to Operate Motorcycle) does not apply to a person who holds a valid driver's license issued by another state that includes an authorization to operate a motorcycle.

SECTION 2. Amends Section 521.1601, Transportation Code, as added by Chapter 1413 (S.B. 1317), Acts of the 81st Legislature, Regular Session, 2009, as follows:

Sec. 521.1601. New heading: DRIVER EDUCATION REQUIRED; EXCEPTION. (a) Creates this subsection from existing text. Prohibits the Department of Public Safety of the State of Texas (DPS), subject to Subsection (b), from issuing a driver's license to a person who is younger than 25 years of age unless the person submits to DPS a driver education certificate issued under Chapter 1001 (Definitions), Education Code, that states that the person has completed and passed certain driver education courses.

(b) Provides that this section does not apply to a person who holds a valid driver's license issued by another state.

SECTION 3. Amends Section 522.034, Transportation Code, by adding Subsection (d) to provide that Subsections (a) (relating to requiring an applicant for an original commercial driver's license that includes an authorization to operate a motorcycle to meet certain criteria) and (b) (relating to prohibiting DPS from issuing an original commercial driver's license that includes an authorization to operate a motorcycle to an applicant who fails to meet certain criteria) do not apply to a person who holds a valid driver's license issued by another state that includes an authorization to operate a motorcycle.

SECTION 4. Amends Section 1001.055(a), Education Code, as follows:

(a) Requires DPS to provide to each licensed driver education provider or exempt driver education school driver education certificates or certificate numbers to enable the provider or school to issue DPS-approved driver education certificates to certify completion of an approved driver education course and satisfy the requirements of Sections 521.204(a)(2) (relating to authorizing DPS to issue a Class C driver's license to an applicant under 18 years of age only if the applicant has submitted to DPS a driver education certificate) and 521.1601, rather than Sections 521.204(a)(2), Transportation Code, 521.1601, Transportation Code, as added by Chapter 1253 (H.B. 339), Acts of the 81st Legislature, Regular Session, 2009, and 521.1601, Transportation Code, as added by Chapter 1413 (S.B. 1317), Acts of the 81st Legislature, Regular Session, 2009.

SECTION 5. Repealer: Section 521.1601 (Driver Education Required), Transportation Code, as added by Chapter 1253 (H.B. 339), Acts of the 81st Legislature, Regular Session, 2009.

SECTION 6. Effective date: September 1, 2023.