

CHAPTER 1127

H.B. No. 915

AN ACT

relating to suspension or revocation of a license, permit, or privilege to operate a motor vehicle.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 3(d), Chapter 173, Acts of the 47th Legislature, Regular Session, 1941 (Article 6687b, Vernon's Texas Civil Statutes), is amended to read as follows:

(d) A nonresident who is at least sixteen (16) years of age and who has in his immediate possession a valid driver's license issued to him in his home state may operate a motor vehicle which is permitted to be operated with a Class C or Class M driver's license in this State *if the license permits operation of those types of vehicles in the nonresident's home state.*

SECTION 2. Sections 22(b) and (f), Chapter 173, Acts of the 47th Legislature, Regular Session, 1941 (Article 6687b, Vernon's Texas Civil Statutes), are amended to read as follows:

(b) Except for the *fifth (5th), eleventh (11th), and twelfth (12th) listed grounds in this subsection* [ground], for which the director [Department] has authority to revoke a license, the authority to suspend the license of any driver as authorized in this Section is granted the director [Department] upon determining [~~after proper hearing as herein before set out~~] that the person [licensee]:

(1) has operated a motor vehicle on a highway while the person's license was suspended [~~committed an offense for which automatic suspension of license is made upon conviction~~];

- (2) has been responsible as a driver for any accident resulting in death;
- (3) is an habitual reckless or negligent driver of a motor vehicle;
- (4) is an habitual violator of the traffic law.

The term "habitual violator" as used herein, shall mean any person with four (4) or more convictions arising out of different transactions in a consecutive period of twelve (12) months, or seven (7) or more convictions arising out of different transactions within a period of twenty-four (24) months, such convictions being for moving violations of the traffic laws of this state or its political subdivisions other than a violation of:

(A) Section 3 or 5, Chapter 42, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929[~~as amended~~] (Article 6701d-11, Vernon's Texas Civil Statutes);

(B) Chapter 293, Acts of the 53rd Legislature, Regular Session, 1953[~~as amended~~] (Article 6701d-12, Vernon's Texas Civil Statutes);

(C) Chapter 608, Acts of the 65th Legislature, Regular Session, 1977 (Article 6701d-12a, Vernon's Texas Civil Statutes);

(D) Chapter 73, Acts of the 54th Legislature, Regular Session, 1955[~~as amended~~] (Article 6701d-13, Vernon's Texas Civil Statutes);

(E) Chapter 212, Acts of the 56th Legislature, Regular Session, 1959 (Article 6701d-14, Vernon's Texas Civil Statutes);

(F) Chapter 93, Acts of the 58th Legislature, Regular Session, 1963 (Article 6701d-15, Vernon's Texas Civil Statutes);

(G) Chapter 8, Acts of the 62nd Legislature, Regular Session, 1971 (Article 6701d-17, Vernon's Texas Civil Statutes); or

(H) Section 107C, Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes);

(5) is incapable of safely driving [~~to drive~~] a motor vehicle;

(6) has permitted an unlawful or fraudulent use of such license;

(7) has committed an offense in another state, which if committed in this State would be grounds for suspension or revocation;

(8) has violated a restriction imposed on the use of the license [~~failed or refused to submit a report of any accident in which he was involved as provided in Article IV, Uniform Act Regulating Traffic on Highways (Article 6701d, Vernon's Texas Civil Statutes)~~];

(9) has been responsible as a driver for any accident resulting in serious personal injury or serious property damage;

(10) is the holder of a provisional license under Section 11A of this Act and has been convicted of two (2) or more moving violations committed within a period of twelve (12) months;

(11) has not complied with the terms of a citation issued by a jurisdiction that is a member of the Nonresident Violator Compact of 1977 for a violation to which the compact applies; [~~or~~]

(12) has a warrant of arrest outstanding, for failure to appear or pay a fine on a complaint, that is issued by a political subdivision that has contracted with the Department under Article 6687c, Revised Statutes;

(13) has failed to provide medical records or has failed to undergo medical or other examinations as required by a panel of the Medical Advisory Board; or

(14) has failed to take, or failed to pass, any examination required by the director under this Act.

(f) When the director believes that a licensee who has been placed on probation under Subsection (e) of this section has violated a term or condition of the probation, the director

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70th LEGISLATURE—REGULAR SESSION

Passed by the House on May 13, 1987, by a non-record vote. Passed by the Senate on May 23, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 18, 1987.

Effective Sept. 1, 1987.