



Texas Public Policy  
Foundation



## **Support the Freedom to Drive: HB 4191 (Sanford)**

### ***Improve Equity, Balance the Budget, and Promote Economic Freedom***

Last session, the Legislature unanimously passed HB 2048 (Zerwas/Huffman), repealing the Driver Responsibility Program (DRP) and lifting nearly 1.4 million suspensions for nonpayment of surcharges. However, over half of the people affected by the repeal still could not get their licenses back, most commonly due to other financial holds. In order to realize the true potential of the DRP repeal, this legislation will do three things to remove financial barriers to driving legally, while helping to achieve a balanced budget. In particular, it would positively impact low-income people in underserved communities.

*HB 4191 (Sanford)* is supported by: **The Justices of the Peace and Constables Association, Texas Fair Defense Project, Texas Appleseed, Just Liberty, the ACLU of Texas, Unlocking Doors, the Texas Criminal Justice Coalition, Texas Civil Rights Project, Texas Association of Goodwills, and the Texas Public Policy Foundation.**

#### **1. Reform the OmniBase Program, Removing Financial Barriers to Licenses**

Under the OmniBase program (Chapter 706 of the Transportation Code), jurisdictions can contract with DPS and a private vendor, OmniBase Services of Texas, to put holds on people's ability to renew or obtain their driver's licenses if they miss court or cannot afford to pay fines and costs, usually from class C tickets. There are over four million of these holds currently outstanding, and over 400,000 Texans are currently unable to legally drive as a result.

Unlike the DRP, there is no indigency program for OmniBase holds, and the holds remain even if somebody enters into a payment plan or a community service plan. The holds make it impossible for people to pay off their debts without violating the law by driving to work or to their community service site.

This bill would enact commonsense reforms to the OmniBase program, allowing it to work more fairly and actually incentivizing people to take care of their tickets. It would clarify that the holds should lift once somebody comes into compliance by appearing in court and starting a payment plan or a community service plan (which DPS and the Texas Justice Court Training Center assert should already be happening). It would also lift any holds that are older than ten years. This will decrease the number of unlicensed, uninsured drivers on the road and encourage people to come to court.

#### **2. Decrease Wait Periods and Lines at Licensing Offices**

After the repeal of the DRP last session, hundreds of thousands of Texans had their suspensions lifted only to discover they needed to retake their driving tests because their license had been expired for more than 2 years. Waits at licensing offices are causing an uproar across the state, and wait times for driving tests are often well over six months. In Wisconsin, you may renew without retesting for up to 8 years after expiration upon payment of a \$5 late fee. In Louisiana, you may renew without a time limit but with a \$15 fee. Texas should do the same, but with a \$20 late fee up to ten years after expiration. This will also raise money for the state.

#### **3. Shorten Unfair Departmental Suspensions**

Last session, the Legislature unanimously passed HB 162 (White/Zaffirini), which lowered departmental suspension periods from two years to 90 days. These suspensions trigger whenever somebody pleads to a ticket that indicates that they drove during a suspension period – effectively punishing people for taking care of their tickets. This bill would make HB 162 retroactive.