

Lawmakers say Driver Responsibility Program repeal unlikely this session

A measure to repeal the widely unpopular program made it out of the House but died before hitting the Senate floor.

BY [JOHNATHAN SILVER](#) MAY 26, 2017 UPDATED: 5 PM

Editor's note: This story has been updated with additional context about the bill's fate.

With three days left in the legislative session, efforts to abolish a Texas Department of Public Safety program that some say targets poor people appear to have failed.

The Driver Responsibility Program, created in 2003 to help cover a budget shortfall, requires drivers convicted of certain traffic offenses, such as speeding and driving while intoxicated, to pay additional annual surcharges on top of any court fines and criminal penalties to maintain their driver's licenses. More than 1 million Texas drivers have had their licenses revoked because of the program, and DPS has collected hundreds of millions of dollars since its inception, money that goes toward funding trauma centers.

The widely unpopular program has been in legislators' crosshairs for several sessions, but the biggest obstacle to its abolishment has been the possibility of losing trauma center funding.

House Bill 2068 by Rep. [Larry Phillips](#), R-Sherman, would have abolished the program but make up for the revenue loss in part by adding \$3,000-\$6,000 in fines for driving while intoxicated and increasing state traffic fines from \$30 to \$50.

The measure passed in the House on a 133-4 vote, despite criticism that the fix should not be to fine certain offenders more. It then reached the floor of the senate, where it stalled in part because of opposition to an amendment that would have created a sunset provision to end the surcharges program once and for all, and another that would have automatically waived surcharges for certain poor drivers.

However, the bill's sponsor in the Senate, [Borris Miles](#), D-Houston, said Senate leadership wouldn't consider ending the program until they could get replacement funding for trauma care. The bill failed to be considered on the Senate floor.

"Although many agreed that this program should be repealed, it's difficult to replace millions of dollars in trauma care funding," Miles said.

Lt. Gov. [Dan Patrick](#)'s office was not immediately available to comment Friday.

Miles told The Texas Tribune that he had the votes and was prepared to add several amendments he thought would improve the bill.

Phillips said he was disappointed with the bill's failure after having spent the past few years working on it. It was the farthest a Driver Responsibility Program repeal bill had gone in the legislative process.

"I thought this was a solution that was fair," he said. "I'm disappointed for the people who are trapped in the system and the people who will be trapped in the system."

Other efforts to pick away at the Driver Responsibility Program were also floated but appear similarly stalled as the session winds down.

Senate Bill 779 by [Kel Seliger](#), R-Amarillo, would give judges the power to ask defendants about their ability to pay the surcharges, an authority they currently don't have explicitly. The Texas Department of Public Safety offers a program for people in the Driver Responsibility Program who cannot afford to pay surcharges tied to their traffic violations.

Senate Bill 599 by Sen. [Konni Burton](#), R-Colleyville, would allow a court to defer or reduce Driver Responsibility Program surcharges for people who participate in a drug court program. Once they've completed the program, the court would be allowed to waive surcharges.

Both bills made out of committee but weren't considered on the Senate floor.