

## Texas State Supplement

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## **1. Who is allowed to drive in the state of Texas?**

These are the people who can drive in Texas:

1. Residents who have a valid Texas driver license
2. Non-residents with a valid license from another state
3. U.S. Armed Forces members
4. The driver of an official motor vehicle in the service of the United States
5. A non-resident on active duty in the Armed Forces of the United States who has a valid license issued by his home state and that non-resident's spouse or dependent son or daughter who has a valid license issued by their home state
6. Any person while driving or operating a road machine, farm tractor, or implement of husbandry temporarily operated or moved on a highway
7. Drivers with learner's permits who follow certain restrictions, such as only driving with a licensed driver who is at least 21 years old and has at least one year's driving experience sitting in the front passenger seat
8. Anyone on active duty in the Armed Forces of the United States who has a valid license issued in a foreign country
9. New residents who are properly licensed

## **2. Learner Permits**

If you are at least 15 years old, in the state of Texas, you can apply for your learner permit as soon as you have these things:

Your packet from the state of Texas allowing you to take our course

You have completed Module 1

And you have passed both the written and visual test from the DPS office

In Texas, you will have to take a vision test and a short written test at the DPS office when applying for your Learner Permit, and pay a \$15.00 fee; your permit expires when you turn 18.

In order to legally drive using your learner permit in Texas, you must be accompanied by a licensed driver who is at least 21 years old, has had at least one year driving experience and is sitting in the front seat to supervise. You will have time restrictions on your learner's permit.

## **3. Provisional Licenses**

The state of Texas uses provisional licenses for persons under 18 years of age. All original licenses, other than a Learner Permit, issued to persons under 18 years of age will be marked "provisional". The provisional license expires when you turn 18.

In Texas, a minimum fee of \$15.00 is required to apply for a provisional license. Before you get your provisional license you have to:

Be between 16-18 years old

Have successfully completed your Driver's Education course (like this one!) and have had a valid Learners Permit for a minimum of one year with no suspensions during that time

In order to apply for your provisional license, you will need to bring the following items with you to the DPS office:

1. Your Learner Permit
2. Proof of identity
3. Proof of social security number
4. Verification of Enrollment and Attendance Form in school (TEA form GEA-043R93)
5. Parental Driver Education Affidavit, DL-90B
6. Classroom Instruction and Behind the Wheel Record Log, DL-91A and DL-91B (You may be required to present this form as proof you have completed all objectives outlined in the Parent Taught Education Program)
7. Proof of Liability Insurance for your vehicle
8. Proof of Texas vehicle registration for your vehicle
9. Certificate of completion of our course
10. Obtain parental authorization signature

In Texas, for the first one year of your provisional license, you WILL NOT be allowed to drive between 11 p.m. and 5 am unless you have a licensed driver 21 years of age or older in the front seat with you. You WILL be allowed to drive to and from work and

home during these hours. You can only have one passenger that is UNDER 21 in your car at a time who is not a family member.

## **4. Classified Licenses**

The following listed Class A, B, C, and M licenses will be issued to persons in the state of Texas who are exempt from obtaining a Commercial Driver License or persons who are not required to obtain a Commercial Driver's License:

**Class A** driver licenses permit a person to drive any vehicle or combination of vehicles with a gross combination weight rating of 26,001 pounds or more, provided the gross vehicle weight rating of the vehicle(s) being towed is in excess of 10,000 pounds; including a vehicle included in Class B or Class C, except a motorcycle or moped.

**Minimum Ages:** 18 or 17 with completion of an approved driver education course including classroom and practical training or approval of minor's hardship application.

**Fee:** \$24.00 for 6 years. Applicants under the age of 18 are charged \$5.00 for a license to expire on the next birthday.

**Class B** driver licenses permit a person to drive the following vehicles, except a motorcycle or moped:

- A. A single unit vehicle with a gross vehicle weight rating of 26,001 pounds or more, and any such vehicle towing either a vehicle with a gross vehicle weight rating that does not exceed 10,000 pounds, or a farm trailer with a gross vehicle weight rating that does not exceed 20,000 pounds
- B. A bus with seating for 24 passengers or more, including the driver
- C. Any vehicle included in Class C

**Minimum Ages:** 18, or 17 with completion of an approved driver education course including classroom and practical training or approval of a minor's hardship application.

**Fee:** \$24.00 for 6 years. Applicants under the age of 18 are charged \$5.00 for a license to expire on their next birthday.

**Class C** driver licenses permit a person to drive the following vehicles, except a motorcycle or moped:

- A. A single unit vehicle, or combination of vehicles, that is not a Class A or B
- B. A single unit vehicle with a gross vehicle weight rating of less than 26,001 pounds, towing a trailer not to exceed 10,000 pounds gross vehicle weight rating or a farm trailer with a gross vehicle weight rating that does not exceed 20,000 pounds.

**Minimum Ages:** 18 or 16 with completion of an approved course of driver education including classroom and practical training, or 15 with approval of minor's hardship application.

**Fee:** \$24.00 for 6 years. Applicants under the age of 18 are charged \$5.00 for a license to expire on the next birthday.

**Class M** driver licenses permit a person to drive a motorcycle or moped.

**Minimum Ages:**

Motorcycle - 18, or 16 with completion of an approved course of driver education (32 hours classroom and the 16-hour Department approved Basic Motorcycle Operator Training Course)

Moped - 15 years of age

**Fee:** \$24.00 for 6 years. Applicants under the age of 18 are charged \$5.00 for a license to expire on the next birthday. A motorcycle endorsement added to a current license requires a \$15.00 examination fee. An additional fee of \$8.00 will be required when renewing a Class M license.

## **5. Commercial Licenses**

The holder of a valid Commercial Driver License in the state of Texas may drive all vehicles in the class for which that license is issued, and all lesser classes of vehicles except motorcycles and mopeds. Vehicles that require an endorsement may not be driven unless the proper endorsement appears on the license. Authorization to operate motorcycles must be shown on the Commercial Driver License.

**Class A** Commercial Driver Licenses permit a person to drive any combination of vehicles with a gross combination weight rating of 26,001 pounds or more, provided that the gross vehicle weight rating of the vehicle or vehicles being towed exceeds 10,000 pounds.

**Minimum Ages:** 21 (interstate commerce driving) or 18 (intrastate driving)

**Fee:** \$60.00 for 6 years

**Class B** Commercial Driver Licenses permit a person to drive any **single** unit vehicle with a gross vehicle weight rating of 26,001 pounds or more, any one of those vehicles towing a vehicle that does not exceed 10,000 pounds gross vehicle weight rating, and any vehicle designed to transport 24 passengers or more, including the driver.

**Minimum Ages:** 21 (interstate commerce driving) or 18 (intrastate driving)

**Fee:** \$60.00 for 6 years

**Class C** Commercial Driver Licenses permit a person to drive any single vehicle, or combination of vehicles, that is not a Class A or B if either vehicle is:

- A. Designed to transport 16 to 23 passengers, including the driver; or
- B. Used in the transportation of hazardous materials that require the vehicle to be placarded under 49 C.F.R., Part 172, Subpart F.

**Minimum Ages:** 21 (interstate commerce driving) or 18 (intrastate driving)

**Fee:** \$60.00 for 6 years

**CDL Endorsements:** The DPS may issue Commercial Driver Licenses with the following endorsements:

**H** - Authorizes the transportation of hazardous materials

**N** - Authorizes the operation of a vehicle with a tank

**P** - Authorizes the operation of a vehicle carrying passengers

**S** - Authorizes the operation of a school bus

**T** - Authorizes the towing of two or three trailers over a specified weight

**X** - Authorizes operation of a combination of H and N

You will need to speak with a DPS representative for more details in getting one or more CDL endorsements added to your Commercial Driver's License in your area.

## **6. Identification cards**

The DPS in the state of Texas is authorized to issue a personal identification card with a photograph for those individuals who find it desirable. Identification cards bear a distinguishing number, similar to a driver license, and are maintained in the driver records file. Applicants must provide documents to meet ID policy; you will need to provide one piece of Primary Identification, or one piece of Secondary Identification with two or more pieces of Supporting Identification, or two pieces of Secondary Identification. Primary, Secondary, and Supporting Identification pieces are identified as:

### **Primary Identification:**

Valid or expired (less than two years) Texas driver license or identification card

Valid United States passport or United States Citizenship (Naturalization) certificate with identifiable photo

Valid United States Immigration and Naturalization Service document with verified date and identifiable photo

United States Military identification card with identifiable photo of member of a military service

### **Secondary Information:**

Original or certified copy of a birth certificate, issued by the appropriate state Bureau of Vital Statistics or equivalent agency

Original or certified copy of a United States Department of State certification of birth (issued to U.S. citizens born abroad)

Unexpired photo driver license or photo identification card issued by another state of the United States, a U.S. territory, the District of Columbia, or a Canadian province

Original or certified copy of a court order with the name and date of birth

For applicants born before 1961 ONLY, the following items would be acceptable:

Original or certified copy of Form DD-214

Original or certified copy of other state or federal governmental record that states the name and date of birth (such as Social Security records)

### **Supporting Identification** (may include, but is not limited to):

School records

Insurance policy (at least two years old)

Vehicle title

Military records

Unexpired military dependent identification card

Original or certified copy of marriage license or divorce decree

Voter registration card

Social Security card

Pilot's license  
Concealed Handgun license  
Texas driver license temporary receipt  
Expired driver license or identification card issued by another state, territory, District of Columbia, or Canadian province that is within 2 years of the expiration date  
A foreign passport (with or without a United States visa)  
A consular document issued by a state or national government

**Note:** Identification cards issued to anyone under 21 years of age will have "Under 21" printed on the card.

**Fee:** \$15.00, except for persons age 60 or older; for senior citizens, the fee is \$5.00

**Expiration:** On birth date six years from year issued, except for identification cards issued to a person age 60 or older; identification cards issued to senior citizens do not expire

## **7. Graduated Licensing**

The state of Texas does use a Graduated Licensing program for drivers under 18 years of age, in order to improve the safety of younger drivers; the program consists of two phases:

Phase One: Applicants under age 18 must hold an instruction permit or hardship license for a minimum of six months prior to issuance of a provisional Class A, B, or C driver license. Under the Graduated Licensing program, there is no minimum time that a person must hold a restricted motorcycle or moped license before they can apply for a Class M license. Phase one does not apply to Class M or hardship license holders. The instruction permit must remain valid during the mandatory six-month period to meet this regulation.

Phase Two: Phase Two restricts the driving privileges of persons less than 18 years of age during the one-year period following the issuance of an original Class A, B, or C driver license (Provisional License). These persons may not operate a motor vehicle with more than one passenger in the vehicle under the age of 21 who is not a family member. In addition, they may not operate a motor vehicle between midnight and 5:00 a.m. unless the operation of the vehicle is necessary for the operator to attend or participate in employment or a school-related activity or because of a medical emergency. The license restriction will state, "TRC 545.424 applies until mm/dd/yy".

Applicants under the age of 18 applying for a first-time Texas driver license and presenting either a valid out-of-state instruction permit or driver license must present proof of completion of driver education and verification of current enrollment and attendance in school (or high school diploma or GED), proof of identity, proof of social security number, and proof of liability and Texas registration if they own a motor vehicle for which proof of financial responsibility is required.



If the person has not graduated from high school or obtained their GED, verification of attendance in a school out-of-state may be shown by presenting a letter from the school principal on school stationery or letterhead stating that the student attended school and met the minimum attendance for class credit (at least 80 days) in each class they were enrolled in the fall or spring semester immediately preceding the current semester and were currently enrolled until transfer to Texas. They must also be currently enrolled in school.

If an applicant is currently enrolled in school in Texas, the Texas school may certify to the current enrollment. The Texas school may also certify to the attendance, provided they have a record from the applicant's previous school that reflects that the person attended the minimum required days in the previous fall or spring semester.

Applicants 15 years of age presenting an out-of-state instruction permit will be issued a Texas instruction permit, which must be held for six months from the date of issuance before becoming eligible for Phase Two.

Applicants at least 16 years of age and less than 18 years old who present a valid out-of-state instruction permit or out-of-state driver license will be issued a Phase Two provisional drivers license with passenger and time restrictions for the first one-year of operation of a motor vehicle in Texas.

## **8. What you need to bring with you to the DPS to receive your Driver License**

In order to apply for your provisional driver's license in the state of Texas, you will need to bring the following items with you to the DPS office:

Your Learner Permit

Proof of identity

Proof of social security number

Verification of Enrollment and Attendance Form in school (TEA form GEA-043R93)

Parental Driver Education Affidavit, DL-90B

Classroom Instruction and Behind the Wheel Record Log, DL-91A and DL-91B (You may be required to present this form as proof you have completed all objectives outlined in the Parent Taught Education Program)

Proof of Liability Insurance for your vehicle

Proof of Texas vehicle registration for your vehicle

Certificate of completion of our course

Obtain parental authorization signature

## **9. Driver License testing – Rules and Laws of the Road**

To receive a Class C driver license in the state of Texas, you must receive a score of 70% or better on the written test covering Rules and Laws of the Road; all information in this test can be found within this driver's education course. An oral test can be arranged, if needed.

## **10. Driver License testing – Signs and Markings**

To receive a Class C driver license in the state of Texas, you must receive a score of 70% or better on the written test covering Signs and Markings; all information in this test can be found within this driver's education course. An oral test can be arranged, if needed.

## **11. Driver License testing – Vision Test**

You are required to take a vision test to receive your driver license in the state of Texas. You may be required to wear corrective lenses while driving if they will improve your vision and help to increase the safety of your driving.

## **12. Driver License testing – Driving Test**

When applying for a driver license in the state of Texas, the driving test is given only after all other tests have been passed and evidence of automobile liability insurance covering the vehicle is presented. A few important facts you should keep in mind about the driving test:

You will not be asked to do anything against the law. You must follow the trooper's/examiner's instructions. Do not carry on a conversation during the driving test. If you do not already have the legal privilege to drive in Texas, a licensed driver should drive your vehicle to the test area as well as away from it if you are not issued a permit to drive.

Your application for your driver license will not be approved if you:

- Violate the law
- Refuse to follow instructions
- Drive dangerously
- Have a crash
- Have more than 30 points deducted on the driving test

You will be graded on four basic skills:

- **Control** - your ability to make your car do what you want it to do

- **Observation** - your ability to see what other traffic is doing and other things that may create problems in traffic
- **Positioning** - your ability to drive in your lane
- **Signaling** - your ability to use turn signals as required

You may be graded on your performance of some of the following things, so these are the driving skills that would be good to practice before taking the driving exam:

- Parallel parking
- Quick stop - You may be asked to stop your car as quickly as possible from about 20 miles per hour without skidding your tires
- Backing
- Use of stop signs and traffic signals
- Use of clutch
- Intersection observance
- Turns
- Observance of right-of-way rules
- Passing
- Proper lane observance
- Following distances
- Proper driving posture

Upon completion of a driving test, the trooper/examiner will tell you of your errors and how to correct them. You will be given a written record of your test. If you do not pass the test, you will be told what items to practice on to improve your driving skills and when to return for another examination.

If you pass the test, you will need to pay the required fee (unless fee was paid with original application), your picture will be taken, and you will be given a receipt which you may use as a temporary license for 60 days or until the DPS mails your permanent license to you. If for any reason you do not receive your driver license in 60 days, contact your local DPS office.

### **13. Fines and punishments for driving without a license**

In the state of Texas, a first conviction of driving without a license can result in a fine of up to \$200; a second conviction in the same year also carries a fine of up to \$200, and a third conviction in the same year can result in a fine of up to \$500, as well as up to six months of jail time.

The penalties for driving a motor vehicle while your driver license or driving privilege is suspended, canceled, denied, or revoked are:

- a fine not to exceed \$200.00.
- suspension of your driver license or driving privilege will be automatically extended upon the licensee being convicted of operating a motor vehicle while suspended, canceled, or revoked; such extended period of suspension will be for a like period of time as the original suspension.
- A subsequent conviction is a Class B misdemeanor.

It is a Class B misdemeanor if a person drives with a suspended license and without insurance; and a class A misdemeanor if the person driving without insurance or a valid driver license has an accident and someone is seriously injured or dies as a result of that accident.

#### **14. License restrictions**

A reasonable restriction or endorsement may be placed on your driver license to improve the safety of your driving. This restriction or endorsement is not meant to interfere with your driving, but to make you a better, safer driver.

The following types of restrictions may be included on your Class C driver license in the state of Texas:

**A – Must drive with corrective lenses**

**B – Must drive with licensed operator in the front seat, age 21 or over**

**C – Daytime driving only**

**D – Not allowed to exceed 45 mph**

**E – No expressway driving**

**S – Outside mirror or hearing aid**

**T – Automatic transmission**

**U – Applicable prosthetic devices**

**V – Applicable vehicle devices**

**W – Power steering**

Contact your local Driver License office for information concerning the removal or addition of any restrictions from your driver license or instruction permit.

#### **15. Renewing your license**

A renewal notice invitation *may* be mailed to you about 6 weeks before your license expires. The notice will be sent to the last address that you provided to the Department of Public Safety. Remember, if you do not receive this notice, it is still up to you to renew your license.

Application for renewal of your driver license must be made in person at any Texas Driver License office, except licensees who have received an invitation from the

Department of Public Safety to renew by an alternate means. Alternate types of renewals include: online at [www.txdps.state.tx.us](http://www.txdps.state.tx.us), by mail, or by phone at 1-866-DL-RENEW and may be made only in the method(s) advised by the invitation.

Invitations to renew by an alternate method will not be extended to:

- Persons whose licenses are suspended, cancelled, revoked, or denied
- Commercial Driver License holders
- Holders of occupational or provisional licenses
- Licensees restricted because of driving ability or a medical condition that requires periodic reviews of such indication, including any medical or physical condition that may result in progressive changes to a licensee's ability to safely operate a motor vehicle

You will be asked to answer questions concerning your medical history and if you have certain medical limitations, your case will be referred to the Texas Medical Advisory Board for their opinion about how your condition may affect your driving.

## **16. Suspensions, Cancellations, and Revocations**

Convictions of the following offenses will result in the automatic suspension of a driving privilege in the state of Texas:

- Driving while intoxicated (DWI) by use of alcohol or drugs
- Drug offense
- Intoxication manslaughter
- Intoxication assault
- Failure to stop and render aid
- Causing the death or serious injury of anyone while operating a motor vehicle
- Any offense punishable as a felony under the motor vehicle laws of Texas
- Overtaking and passing a school bus (on a subsequent conviction)
- Boating while intoxicated
- Evading arrest
- Driving while your license is invalid
- Altered/unlawful use of a driver license (it is a Class B misdemeanor to steal driver's license, CDL license or personal identification)
- Displaying or possessing a driver license or identification card that is fictitious or altered
- Lending a driver license or identification card to someone else
- Possessing more than one valid driver license or identification card
- Providing false information or documents when applying for a driver license

- Making, selling, or possessing a document deceptively similar to a driver license or identification card issued by the Department of Public Safety
- Graffiti
- Fictitious license plates, registration certificate, or safety inspection sticker
- Fraudulent government records

The Department of Public Safety has the authority to suspend/revoke the driver license or driving privilege of any driver in the state of Texas, after an opportunity for proper hearing, for the following reasons:

- Driving while your license is suspended
- Causing a serious accident while operating a motor vehicle
- Becoming incompetent to drive
- Repeated violations of traffic laws
- 4 or more convictions for moving violations occurring separately within any 12-month period or 7 or more within any 24-month period
- Habitual reckless or negligent driving
- Permitting the unlawful or fraudulent use of your driver license
- Violating a driver license endorsement requirement
- Two or more convictions for violating a driver license restriction
- Failure to comply with the terms of a citation issued by another state that is a member of the Nonresident Violator Compact of 1977
- Failure to complete a DWI education program within 181 days if completion is a term of probation upon conviction of DWI
- Failure to complete a repeat offender alcohol education program as required when convicted of DWI
- Failure to complete a drug education program as required upon conviction of a drug offense
- Failure to provide medical information when requested
- Failure to take or pass an examination when requested
- Fleeing or attempting to flee from a police officer
- Has committed an offense in another state, which if committed in this state would be grounds for suspension or revocation
- Failing to stop for a school bus (on a second conviction)
- Violating a probation order set by a previous hearing

A reinstatement fee is required for all discretionary suspensions/ revocations.

Additionally, convictions or failure to comply with the following offenses will result in the automatic suspension of a driving privilege of persons less than 21 years of age:

- Minor in possession

- Attempt to purchase alcohol by a minor
- Purchase of alcohol by a minor
- Consumption of alcohol by a minor
- Misrepresentation of age by a minor
- Fail to complete an alcohol or tobacco awareness class when required
- Delinquent conduct by a minor or juvenile
- Truancy

The Department of Public Safety has the authority to suspend/revoke the driver license or driving privilege of a minor in the state of Texas, after a proper hearing, for the following reasons:

- Failure to appear or default in payment of a fine for a traffic or a non-traffic violation
- Repeated violations of traffic laws
- 2 or more convictions for moving violations occurring separately within any 12-month period for a driver who has a provisional driver license
- 1 or more convictions for a moving violation if the driver holds a 60-day hardship (Minor's Restricted Driver License) license

It is also important to note that in the state of Texas, a minor may not drive a motor vehicle with any detectable amount of alcohol (.00) in their system. This law is commonly referred to as the zero tolerance law. This law provides for the suspension of a minor's driver license for any detectable amount of alcohol in the minor's system, or refusal to provide a specimen of the minor's breath or blood for analysis.

As for cancellations, the Department of Public Safety is authorized to cancel the license of individuals in the state of Texas who do not meet certain qualifications. The following types of cases require cancellation of a driver license:

- Suspension/revocation action from another state
- Parental authorization has been withdrawn (for individuals under 18 years of age)
- Incomplete driver education
- Voluntary surrender for medical or insurance purposes
- False statement on application

## **17. Vehicle inspection**

You must have the following equipment in proper working order for your car to be considered safe within the state of Texas:

**Brakes –**

Foot Brake - must stop the car within a distance of 25 feet at a speed of 20 mph

Parking Brake - should be adequate to stop and hold the car

**Lights and reflectors –**

Two headlights - one on each side on the front, and a beam indicator, showing when the high headlight beam is on

Tail lights - all vehicles shall be equipped with two tail lights, except that models manufactured prior to model year 1960 shall be required to have only one tail light

Brake lights - all vehicles shall be equipped with two brake lights (stop lights), except that models manufactured prior to model year 1960 shall be required to have only one brake light (stop light)

Turn signals - Every motor vehicle, trailer, semi-trailer, and pole-trailer shall be equipped with electric turn signals (motorcycles and certain trailers excepted), except that passenger cars and trucks less than 80 inches in width and manufactured prior to model year 1960 need not be equipped with electrical turn signals

License plate light - a white light lighting the rear license plate when the headlights (or auxiliary lamps) are lighted is required

Reflectors - two red reflectors are required, one on each side of car (may be in combination with tail lights), placed at a height of 15 to 60 inches and visible up to 600 feet. Reflectors must be visible up to 350 feet on vehicles manufactured prior to the year model 1960

Parking lights - white or amber on the front, red to the rear (may be in combination with other lights)

**Horn** - Must be heard for a distance of 200 feet

**A muffler and exhaust system** - All 1968 or later models must be equipped with an exhaust emission system to help reduce air pollution

**Safety glass** - All new cars must be equipped with safety glass. All replacements of glass for any car must be with safety glass

**License plates** – All vehicles must have one valid plate at the front and one at the rear of passenger and commercial vehicles, except dealer plates and those commercial vehicles that are only issued one license plate

**Windshield wiper** - For safety in bad weather

**Rearview mirror** - Shall be so located as to be able to reflect a view of the highway for a distance of at least 200 feet to the rear of the vehicle

**Slow-moving vehicle emblem** - Farm tractors and machinery, road construction machinery, animal-drawn vehicles and certain other motor vehicles designed to travel at 25 miles per hour or less must display the slow-moving vehicle emblem



**Front seat belts** - Required equipment if seat belt anchorages were part of the original equipment of the automobile

**Tires** - All vehicles are required to be equipped with tires that are in proper and safe condition with a minimum tread depth of 2/32nds of an inch

**Fuel cap** - The fuel cap on gasoline-powered vehicles from 2 to 24 years old will be checked to determine if the fuel cap is missing or defective. (Exceptions: antique vehicles, circus vehicles, slow moving vehicles, motorcycles, and vehicles operated exclusively by a fuel other than gasoline and vehicles newer than 2 years or older than 24 years)

Certain equipment is considered unsafe and therefore not allowed on your vehicle in the state of Texas:

A red light showing from the front, except on an emergency vehicle

A bell, siren, or exhaust whistle, except on an emergency vehicle

A muffler cutout

Anything that extends more than three inches beyond the left side or six inches beyond the right side of the body, running board, or fenders of your car

Flashing red lights on the front - except on emergency vehicles, school buses, and church buses

Also, Texas is a dual inspection state. Since 1996, four Texas counties have had an emissions based test in addition to their annual safety inspection. That means your car needs to be inspected for pollutants AND for safety. You have to get your car inspected before you get it registered and before you put it on the road.

All motor vehicles registered in Texas, including motorcycles, motor scooters, and mopeds must be inspected each year by an official motor vehicle inspection station. Evidence of financial responsibility for the vehicle being inspected must be presented at the time of inspection. If evidence of financial responsibility is not presented, an inspection certificate will not be issued. When a vehicle passes inspection, an approved certificate must be placed on the windshield.

Motorcycles and mopeds shall have the inspection certificate displayed near the rear license plate. These certificates are good for one year from the month of inspection. Any vehicle involved in a crash must be re-inspected after repairs have been made. In addition to the safety inspection, an emissions test is required for motor vehicles that are capable of being powered by gasoline from two years old to and including twenty-four years old, and registered in or required to be registered in and primarily operated in a designated county.

“Designated counties” refers to Dallas, Tarrant, Denton, Collin, Harris and El Paso counties. Effective May 1, 2003, and thereafter, Dallas, Tarrant, Denton, Collin, Ellis,

Johnson, Kaufman, Parker, Rockwall, Harris, Fort Bend, Brazoria, Galveston, Montgomery and El Paso counties.

### **18. Vehicle registration**

When a non-resident owner or operator establishes residency in Texas or enters into gainful employment, his vehicle may be operated for 90 days thereafter, after which time the vehicle must be currently registered in Texas.

In Texas, in order to register your vehicle, it must pass a vehicle safety inspection and an inspection of the vehicle identification number. These services are available at a state-approved Safety Inspection Station. The inspection station will give you a form that you have to submit to the county tax office with an application for certificate of title.

### **19. Penalties for driving without insurance**

In the state of Texas, the penalties for driving without the minimum required insurance are as follows:

**First Conviction:** \$175 to \$350 fine.

**Subsequent Convictions:** \$350 to \$1,000 fine, driver's license suspension, and impoundment of your automobile.

Your citation will be dismissed if you can prove that you had liability insurance when you received the citation.

### **20. Minimum Liability Insurance requirements**

Texas state law requires ALL drivers to have valid auto insurance when driving a vehicle. **The Safety Responsibility Act** was enacted to ensure that all drivers in the state of Texas are financially responsible for the death, injury, or property damage they may cause while operating a motor vehicle. All owners and/or operators of motor vehicles in Texas must have at least the minimum amount of liability insurance:

\$20,000 against the injury or death of one person

\$40,000 against the injury or death of two or more persons

\$15,000 against property damage

In order to comply with the Safety Responsibility Act, a driver must purchase liability insurance or be self-insured under the provisions under the Act. Evidence of financial responsibility must be presented to the proper authorities at the time a person applies for a driver license, registers a motor vehicle, or obtains a motor vehicle inspection certificate.



**INSTRUCTOR:** Refer to and cover materials on this subject, which appear in the Texas Drivers Handbook

## **21. Railroad crossing laws**

Texas law requires obedience to a signal indicating the approach of a train. Whenever any person driving a vehicle approaches a railroad grade crossing, the driver of such vehicle shall stop within 50 feet - but not less than 15 feet - from the nearest rail of such railroad if:

A clearly visible railroad signal warns of the approach of a train

A crossing gate is lowered or a human flag person warns of the approach or passage of a railroad train

The driver is required to stop by other law, a rule adopted under a statute, or an official traffic-control device or a traffic-control signal

A railroad engine approaching within approximately fifteen hundred (1,500) feet of the highway crossing emits a signal audible from such distance and such engine by reason of its speed or nearness to such crossing is an immediate hazard

An approaching railroad train is plainly visible and in hazardous proximity to such crossing.

A person who fails to obey the law regarding railroad grade crossings in the state of Texas is subject to a fine of \$50 to \$200. The driver of a vehicle required to stop at a railroad grade crossing as provided by this law shall remain stopped until the driver is permitted to proceed and it is safe to proceed.

## **22. Yielding the right-of-way to emergency vehicles**

**In the state of Texas, you must yield the right-of-way to police cars, fire trucks,**

In the state of Texas, you must yield the right-of-way to police cars, fire trucks, ambulances, and other emergency vehicles that are sounding a siren or bell or flashing a red light by pulling to the right edge of the roadway and stopping. In the event traffic is so congested as to prevent you from safely doing so, slow down and leave a clear path for the emergency vehicle.

You must not follow within 500 feet of a fire truck answering an alarm or an ambulance when the flashing red lights are on. Do not drive into or park in the block where the fire truck has answered an alarm or park your vehicle so as to interfere with the arrival or

departure of an ambulance to or from the scene of an emergency. Drivers nearing a stopped emergency vehicle that has lights activated, unless otherwise directed by a law enforcement officer, must:

Vacate the lane closest to the emergency vehicle, if the highway has two or more lanes traveling in the direction of the emergency vehicle; or

Slow to a speed not more than 20 mph less than the posted speed limit when the posted speed limit is 25 mph or more; or

Slow to a speed not more than 5 mph when the posted speed limit is less than 25 mph

### **23. School buses**

If you approach a school bus from either direction and the bus is displaying alternately flashing red lights, you must stop and not pass until either the school bus has resumed motion, or you are signaled by the driver to proceed, or the red lights are no longer flashing.

You do not need to stop when meeting or passing a school bus that is on a different roadway, or upon a controlled-access highway where the school bus is stopped in a loading zone and pedestrians are not permitted to cross the roadway.

A person who fails to obey the law regarding yielding the right-of-way to school buses displaying alternating, flashing lights in the state of Texas is subject to a fine of \$200 to \$1,000. A second or subsequent conviction can also result in a license suspension of up to 6 months.

### **24. Pedestrian right-of-way**

You should always be on the lookout for people on foot, whether or not they have the right-of-way. Drivers must always yield to pedestrians in the following situations:

Uncontrolled intersections - At an uncontrolled intersection with no traffic signs or signals, if the pedestrian has entered the crosswalk, you the driver should give him the right-of-way

Controlled intersections - If the pedestrian has a "WALK" signal, or, if no pedestrian control signals exist, at a green light, you should give the pedestrian the right-of-way. If the light changes after the pedestrian has already entered the crosswalk, you should still give the pedestrian the right-of-way.

### **25. Penalties and fines for violating railroad crossing laws**

The state of Texas has approximately 14,500 railroad grade crossings, which is the highest number of railroad grade crossings in the United States. Texas law states that all vehicles must stop at railroad crossings when any of the various "train approaching" indicators (electronic, manual, etc.) appear. Failure to obey railroad-crossing warnings

will be receive a possible fine from \$50 to \$200. Drivers are required to remain stopped until the train has passed and indicators are lifted.

## **26. Passing on the right**

In Texas, “right is right”, which means that if it’s safe, you can pass on the right. Watch for signs on Texas multi-lane expressways that read “Left Lane for Passing Only.” These signs let you know that the left lane on a divided highway is not a “fast” lane; it is a passing lane. Impeding the flow of traffic by continuing to drive in the left lane is a Class C misdemeanor, punishable by a fine of up to \$200.

## **27. Parking laws**

In the state of Texas, it is illegal to park, stop, or stand a vehicle:

- On the roadway side of any vehicle stopped or parked at the edge or curb of a street
- On a sidewalk
- Within an intersection
- On a crosswalk
- Between a safety zone and adjacent curb or within 30 feet of a place on the curb immediately opposite the end of a safety zone
- Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic
- Upon a bridge or other elevated structure upon a highway or within a highway tunnel
- On any railroad track
- At any place where an official sign prohibits stopping

Additionally, it is illegal in the state of Texas to stop or stand a vehicle:

- In front of a public or private driveway
- Within 15 feet of a fire hydrant
- Within 20 feet of a crosswalk at an intersection
- Within 30 feet upon the approach to any flashing signal, stop sign, yield sign, or other traffic control signal located at the side of a roadway
- Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance
- Within 50 feet of the nearest rail of a railroad crossing
- On the paved part of any highway outside of a business or residential district when you can park off the roadway.

If you cannot park off the road:

- Leave plenty of room for others to pass
- Be sure that your vehicle can be seen for at least 200 feet from each direction
- If at night, use your parking lights or leave your headlights on dim

Texas state law also provides that it is a violation (Class C misdemeanor - up to a \$500 fine) for a person to park, stand, or stop a vehicle in a disabled person parking space. The law specifically states:

- You may not park in a disabled parking space unless the vehicle has a disabled license plate or state-issued removable windshield identification card
- You may not use a disabled parking windshield identification card unless transporting the disabled person to whom it was issued
- You may not lend your windshield identification card to someone else
  - You may not block an access or curb ramp

## **28. Unattended vehicle laws**

It is unlawful in the state of Texas for any person in charge of a motor vehicle to permit it to stand unattended without first:

- Stopping the engine
- Locking the ignition
- Removing the key from the ignition
- Setting the brake
- When standing on any grade, turning the front wheels to the curb or side of the roadway.

## **29. Speed limits**

In the state of Texas, the following maximum speed limits must be followed by all vehicles under different conditions:

Urban Areas

*During the day:* 30 miles per hour

*At night:* 30 miles per hour

Beaches and Alleys

*During the day:* 15 miles per hour

*At night:* 15 miles per hour

Designated Rural Interstate Highways

*During the day:* 70 miles per hour

*At night:* 65 miles per hour  
Urban Interstate and Federal or State Highways  
*During the day:* 70 miles per hour  
*At night:* 65 miles per hour  
Designated School Bus Speed  
*During the day:* 60 miles per hour (based on inspection rules)  
*At night:* 50 miles per hour (based on inspection rules)

Be aware that cities and counties DO have the authority to change these limits.

### **30. Headlight laws**

In Texas, you must use your headlights between one-half hour after sunset to one-half hour before sunrise, or any other time when persons or vehicles cannot be seen clearly for at least 1,000 feet.

### **31. Bicyclist laws**

In the state of Texas, a bicycle is considered a vehicle, and any person riding a bicycle has all of the rights and responsibilities of a driver of a vehicle. Bicyclists are required to ride as far right in the lane as possible only when the lane can be safely shared by a car and a bicycle, side by side. Even then, there are certain conditions that allow a bicyclist to take the full lane such as:

The person is overtaking and passing another vehicle proceeding in the same direction  
The person is preparing for a left turn at an intersection or onto a private road or driveway

There are unsafe conditions in the roadway, such as fixed or moving objects, parked or moving vehicles, pedestrians, animals, potholes, or debris

The lane is of substandard width, making it unsafe for a car and a bicycle to safely share the lane side by side. When this is the case, it is best for the cyclist to take the full lane whether riding single file or two abreast

Bicyclists are not restricted to the right lane of traffic. One-way, multi-laned streets are one example; another instance is when the bicyclist is changing lanes to make a left turn. The bicyclist should follow the same path any other vehicle would take traveling the same direction. Motorists should merge with bicycle traffic when preparing for a right hand-turn - avoid turning directly across the path of bicycle traffic.

### **32. Legal drinking age**

The legal drinking age in the state of Texas is 21 years old.

### **33. Minor in Possession penalties**

In the state of Texas, a minor may not:

- Purchase an alcoholic beverage
- Attempt to purchase an alcoholic beverage
- Falsely state they are 21 years of age or older or present any document that indicates that they are 21 years of age or older to a person engaged in the selling or serving of alcoholic beverages
- Consume an alcoholic beverage
- Possess an alcoholic beverage.

The penalty upon conviction of one of the above non-driving alcohol-related offenses and for Public Intoxication for a minor is as follows:

1st Non-driving Alcohol-Related Offense by a Minor - Class C misdemeanor, punishable by a fine up to \$500.00, 8 to 12 hours of community service, and mandatory attendance of an alcohol awareness course. The minor's driver license will be suspended (or his/her privilege denied if not licensed) for 30 days.

2nd Non-driving Alcohol-Related Offense by a Minor - Class C misdemeanor, punishable by a fine up to \$500.00, 20 to 40 hours of community service, and may be required to attend an alcohol awareness course. The minor's driver license will be suspended (or his/her driving privilege denied if not licensed) for 60 days.

3rd Non-driving Alcohol-Related Offense by a Minor (17 years of age or older but less than 21) - Class B misdemeanor, punishable by a fine of \$250.00 to \$2,000.00, 40 to 60 hours of community service, and/or jail time of up to 180 days. The minor's driver license will be suspended or his/her privilege denied for 180 days. Minors are not eligible for deferred disposition on the third and subsequent convictions. A minor who is convicted of driving while his/her license is revoked because of a non-driving alcohol related offense is subject to the penalties of Driving While License Invalid.

### **34. Legal intoxication limit and tests**

A person having a blood alcohol concentration of 0.08% or more is intoxicated according to the law in the state of Texas. It is important to understand that Texas is an "implied consent" state, meaning that applying for a driver's license also means you automatically agree to consent to a blood alcohol test at any time, if required. If a person is arrested for an offense arising out of acts alleged to have been committed while the person was operating a motor vehicle in a public place, or a watercraft, while intoxicated or an offense under section 106.041. Alcoholic beverage code, the person is deemed to have consented to submit to the taking of one or more specimens of the person's breath or blood for analysis to determine the alcohol concentration or the presence in the person's body of a controlled substance, drug, dangerous drug, or other substance.

A person arrested for an offense described by this subsection may consent to submit to the taking of any other type specimen to determine the person's alcohol concentration.



Refusal to give a blood or breath specimen for analysis will result in a driver license suspension of 180 days. If a person submits to giving a blood or breath specimen and the results show a blood alcohol level of 0.08% or greater, the driver is subject to a driver license suspension of 90-365 days.

### **35. Penalties for misuse of license**

In the state of Texas, a person commits an offense if they:  
Show or posses a driver license or certificate that they know to be fake or altered  
Show or represent as their own a driver license not issued to them

**Penalty:** Class B Misdemeanor (up to 180 days in jail and/or \$2,000 fine)

A minor commits an offense if they posses, with the intent to represent that they are 21 years of age or older, a deceptively similar driver license or ID certificate UNLESS the license displays the statement "NOT A GOVERNMENT DOCUMENT" printed in 1/4" solid red capital letters diagonally on both sides. "Deceptively similar" means a reasonable person would assume that the fake license presented was genuine.

**Penalty:** CLASS C Misdemeanor (up to \$500 fine)

### **36. DWI penalties**

The penalties for driving under the influence of drugs or alcohol in the state of Texas are as follows:

#### **1<sup>st</sup> conviction (Class B Misdemeanor):**

**Fine** – up to \$2,000

**Jail time** – 72 hours to 6 months

Note: If you are also found guilty of violating the Open Container Law during your arrest, the minimum jail time is increased to 6 days

**Community service** – 24 to 100 hours

Mandatory attendance of a DWI education course within 180 days from the date of your conviction

Note: Failure to attend a DWI education course within 180 days from the date of your conviction will result in a one year suspension of your driver license; HOWEVER, if you are a minor under 21 years of age, license suspension is automatic

**License Suspension** – 90 to 365 days

#### **2<sup>nd</sup> conviction (Class A Misdemeanor):**

**Fine** – up to \$4,000

**Jail time** – 30 days to 1 year

Note: If you are also found guilty of violating the Open Container Law during your arrest, the minimum jail time is increased to 6 days

**Community service** – 80 to 200 hours

**License suspension** – 180 days to 2 years

**3<sup>rd</sup> conviction (3<sup>rd</sup> degree Felony):**

**Fine** – up to -\$10,000

**Jail time** – 2 to 10 years

**Community service** – 160 to 600 hours

**License suspension** – 180 days to 2 years

**DWI with Child Passenger Under 15 (State Jail Felony)** - Punishable by a fine not to exceed \$10,000 confinement in jail for not less than 180 days nor more than 2 years. License suspension for first-time offenders and increased suspension period for repeat offenders.

The driver license re-instatement fee for completing an education program is \$100.

**37. Public intoxication penalties**

"Public Intoxication" means: A person commits an offense if the person appears in a public place while intoxicated to the degree that the person may endanger the person or another.

"Intoxicated" is defined as:

- A. Not having the normal use of mental or physical faculties by reason of the introduction of alcohol, controlled substance, a drug, a dangerous drug, a combination of two or more of those substances, or any other substance into the body; or
- B. Having an alcohol concentration of 0.08 or more

In the state of Texas, an offense under this section is a Class C Misdemeanor. An individual adjudged guilty of a Class C misdemeanor shall be punished by a fine not to exceed \$500.00. However, for a minor, the punishment terms are in the same manner as if he committed the offense of Possession of Alcohol by a Minor.

**38. Open Container Law**

In Texas, a person commits a Class C misdemeanor if the person possesses an open container in a passenger area of a motor vehicle that is located on a Texas public highway, regardless of whether the vehicle is being operated, stopped or parked.

The law considers it a single offense if a person is found to possess one or more open containers at the time the ticket is given. All persons within the car - including driver and passengers - may be ticketed.

Texas requires the police officer charging the person with an open container violation to issue a written citation and notice to appear in court at a specific time and place, similar to a speeding ticket. If the person makes a written promise to appear before the magistrate by signing in duplicate the citation and notice to appear issued by the officer, the officer must release the person.

### **39. Penalties for refusing to take an alcohol test**

Texas is an “implied consent” state, meaning that applying for a driver’s license also means you automatically agree to consent to a blood alcohol test at any time, if required. If a person is arrested for an offense arising out of acts alleged to have been committed while the person was operating a motor vehicle in a public place, or a watercraft, while intoxicated or an offense under section 106.041. Alcoholic beverage code, the person is deemed to have consented to submit to the taking of one or more specimens of the person’s breath or blood for analysis to determine the alcohol concentration or the presence in the person’s body of a controlled substance, drug, dangerous drug, or other substance.

A person arrested for an offense described by this subsection may consent to submit to the taking of any other type specimen to determine the person’s alcohol concentration. Refusal to give a blood or breath specimen for analysis will result in a driver license suspension of 180 days. If a person submits to giving a blood or breath specimen and the results show a blood alcohol level of 0.08% or greater, the driver is subject to a driver’s license suspension of 90-365 days.

### **40. Administrative License Revocation (ALR)**

Texas’ ALR law took effect January 1, 1995. ALR is a civil, administrative process unrelated to criminal court proceedings. Its goal is to get drunk drivers off the road by revoking their driver licenses.

The way ALR works is: a law enforcement officer determines that there is reasonable suspicion to stop a driver and probable cause to arrest the motorist for drunk driving. If the officer has reason to believe that the driver is impaired, a set of field sobriety tests is administered. If the driver performs poorly, the driver is arrested for DWI.

Once at a police station or sheriff's office, the driver is asked to take a chemical test to measure his blood alcohol concentration (BAC) level. This is usually a breath test. The officer serves the offender with a notice that his driver license will be suspended if he or she refuses to take the test or fails it (registering a .08 BAC or greater). The officer confiscates the Texas driver license and issues a temporary driving permit. The offender has 15 days from the date that the suspension notice is received to request a hearing. If no hearing is requested, then the suspension goes into effect on the 40th day after notice was served (usually 40 days after arrest). The driver pays a \$125 fee to reinstate the license after a period of suspension.

The ALR process also applies to individuals arrested for boating while intoxicated (BWI) who refuse to take a chemical test.

#### **41. Penalties for Intoxication Assault**

Intoxication assault is a felony where a person is intoxicated, and by reason of that intoxication, causes the injury of another person, either by accident or mistake.

The penalty for intoxication assault in the state of Texas is a felony of the 3rd degree, including:

**Fine** - \$0-\$10,0000

**Jail time** - 2-10 years

**Community service** – 160-600 hours

**License suspension** - 180 days-2 years

#### **42. Penalties for Intoxication Manslaughter**

Intoxication assault is when a person is intoxicated and by reason of that intoxication, causes the death of another by accident or mistake.

The penalty for intoxication assault in the state of Texas is a felony of the 2nd degree, including:

**Fine** – up to \$10,000

**Jail time** – 2 to 20 years

**License suspension - 6 months to 2 years**

**Community service** – 240-800 hours

**License suspension** – 6 months to 2 years

#### **43. Penalties for DWI by a Minor**

The penalties for DWI by a Minor in the state of Texas are as follows:

##### **First Offense DWI by a Minor (17 years of age or older but less than 21)**

A Class C misdemeanor, punishable by a fine of up to \$500, and 20 to 40 hours of community service. Attendance in an Alcohol Awareness Course is required and, if the minor is under 18, the parent may be required to attend the course. The minor's driver license will also be suspended for 120 days.

##### **Second Offense DWI by a Minor (17 years of age or older but less than 21)**

A Class C misdemeanor, punishable by a fine of up to \$500, and 40 to 60 hours of community service. The Alcohol Awareness Course may be required.

##### **Third Offense DWI by a Minor (17 years of age or older but less than 21)**

A Class B misdemeanor, punishable by a fine of \$500 to \$2,000, 40 to 60 hours of community service, and/or confinement in jail of up to 180 days. The court may not give deferred disposition on the third offense of DWI by a minor.

##### **Any Offense DWI by a Minor – (10 years of age or older but less than 17- “Delinquent Conduct” under the Family Code)**

Punishable by a fine up to \$500.00, 40 to 60 hours of community service, and the minor's driver license may be suspended (or driving privilege denied).

#### **44. Bicyclist laws**

In the state of Texas, a bicycle is considered a vehicle, and any person riding a bicycle has all of the rights and responsibilities as a driver of a vehicle. Bicyclists are required to ride as far right in the lane as possible only when the lane can be safely shared by a car and a bicycle, side by side. Even then, there are certain conditions that allow a bicyclist to take the full lane such as:

The person is overtaking and passing another vehicle proceeding in the same direction  
The person is preparing for a left turn at an intersection or onto a private road or driveway

There are unsafe conditions in the roadway, such as fixed or moving objects, parked or moving vehicles, pedestrians, animals, potholes, or debris

The lane is of substandard width, making it unsafe for a car and a bicycle to safely share the lane side by side. When this is the case, it is best for the cyclist to take the full lane whether riding single file or two abreast

Bicyclists are not restricted to the right lane of traffic. One-way, multi-laned streets are one example; another instance is when the bicyclist is changing lanes to make a left turn. The bicyclist should follow the same path any other vehicle would take traveling the same direction. Motorists should merge with bicycle traffic when preparing for a right hand-turn - avoid turning directly across the path of bicycle traffic.

#### **45. Seatbelt laws**

Texas law holds the driver responsible for the making sure that all passengers in the vehicle are secured with the proper restraints in the appropriate legal fashion. The driver, and all passengers (both front AND rear) in a passenger vehicle are required to use safety belts. A "passenger vehicle" includes a passenger van designed to transport 15 or fewer passengers including the driver.

Children less than 8 years of age must be restrained in a child safety seat unless the child is at least 4'9".

Safety belt means a lap belt and any shoulder straps included as original equipment on or added to a vehicle.

Safety belt usage requirements now include all passenger vehicles, pickups, SUVs and trucks.

#### **46. Open bed pickup trucks**

In the state of Texas, a person commits an offense if they operate an open bed truck or an open flatbed truck or draws an open flatbed trailer when a child younger than 18 years of age is occupying the bed of the truck or trailer.

#### **47. Cargo laws**

In order to prevent cargo or loose materials from falling or spilling from a vehicle onto the roadway and possibly causing accidents or damage to the roads, Texas state law requires that drivers comply with certain requirements. Texas state law mandates that no person shall load or transport any loose material on or over the public highways, such as dirt, sand, gravel, wood chips, or other material (except agricultural products in their natural state), that is capable of blowing or spilling from a vehicle.

#### **48. Towing laws**

In Texas, when one vehicle is towing another, the drawbar, chain, rope, cable, or other connection must not be longer than 15 feet from one vehicle to another (this 15-foot limit does not apply to pole trailers). When a chain, rope, or cable is used as a connection, a white flag, not less than twelve inches square, must be attached to it.

## **Module 2**

### **1. Securing your vehicle**

Under Texas law, a driver may not leave a vehicle unattended without:

Stopping the engine

Locking the ignition

Removing the key from the ignition

Setting the parking brake effectively

If the vehicle is on a grade, turning the front wheels to the curb or side of the highway. Failure to secure your vehicle properly can be punishable by fines of up to \$200, and possible jail time of up to 30 days. This law applies to private access ways or parking areas provided for a client or patron of a business, other than a private residential property or the property of a garage or parking lot for which a charge is made for the storing or parking of motor vehicles; and highways or other public places.

### **2. Vehicle maintenance laws**

All vehicles registered in the state of Texas are required to receive an annual inspection. All inspections include a comprehensive safety inspection; however, some vehicles are required to have an emissions test in addition to the safety inspection, including Vehicles registered in the following designated counties:

- Brazoria County
- Fort Bend County
- Galveston County
- Harris County
- Montgomery County
- Collin County
- Dallas County
- Denton County
- Ellis County
- Johnson County
- Kaufman County
- Parker County
- Rockwall County
- Tarrant County
- Travis County
- Williamson County
- El Paso County

Gasoline powered vehicles. Diesel powered vehicles and motorcycles are exempt from the emissions standards, but are still required to have the annual safety inspection. Vehicles between 2-24 years old OR upon expiration of the 2 year initial inspection sticker.

### **3. Headlight laws**

In Texas, you must use your headlights between one-half hour after sunset to one-half hour before sunrise, or any other time when persons or vehicles cannot be seen clearly for at least 1,000 feet.

### **4. Seatbelt laws**

Texas law holds the driver responsible for the making sure that all passengers in the vehicle are secured with the proper restraints in the appropriate legal fashion. The driver, and all passengers (both front AND rear) in a passenger vehicle are required to use safety belts.

Children less than 8 years of age must be restrained in a child safety seat unless the child is at least 4'9".

Safety belt means a lap belt and any shoulder straps included as original equipment on or added to a vehicle.

Safety belt usage requirements now include all pickups, SUVs and trucks.

## **Module 3**

### **1. Seatbelt laws**

Texas law holds the driver responsible for the making sure that all passengers in the vehicle are secured with the proper restraints in the appropriate legal fashion. The driver, and all passengers (both front AND rear) in a passenger vehicle are required to use safety belts.

Children less than 8 years of age must be restrained in a child safety seat unless the child is at least 4'9".

Safety belt means a lap belt and any shoulder straps included as original equipment on or added to a vehicle.

Safety belt usage requirements now include all pickups, SUVs and trucks.

### **2. Signaling laws**

In Texas, always signal when you are going to:

Change lanes

Make a turn

Pull away from a parking space which is parallel to the curb

Slow down or stop

You may use either signal lights or hand and arm signals. Make sure your signals can be easily seen by others. Extend your hand and arm well out of the car window and signal in plenty of time. During non-daylight hours, hand and arm signals are usually not visible except in well-lighted areas.

Be sure your signal lights are working properly. When signaling a stop, pump your brakes a few times to attract attention. Signal continuously for at least 100 feet before you turn or stop. Be sure to turn off your signal light after you use it. Your unintended signal still means "turn" to other drivers.

### **3. Pedestrian right-of-way**

You should always be on the lookout for people on foot whether or not they have the right-of-way. Drivers must yield to pedestrians in the following situations:

**Uncontrolled intersections** - At an uncontrolled intersection with no traffic signs or signals, if the pedestrian has entered the crosswalk, you the driver should give him the right-of-way



**Controlled intersections** - If the pedestrian has a "WALK" signal, or, if no pedestrian control signals exist, at a green light, you should give the pedestrian the right-of-way. If the light changes after the pedestrian has already entered the crosswalk, you should still give the pedestrian the right-of-way.

#### **4. Parking laws**

In the state of Texas, it is illegal to park, stop, or stand a vehicle:

On the roadway side of any vehicle stopped or parked at the edge or curb of a street

On a sidewalk

Within an intersection

On a crosswalk

Between a safety zone and adjacent curb or within 30 feet of a place on the curb immediately opposite the end of a safety zone

Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic

Upon a bridge or other elevated structure upon a highway or within a highway tunnel

On any railroad track

At any place where an official sign prohibits stopping

Additionally, it is illegal in the state of Texas to stop or stand a vehicle:

In front of a public or private driveway

Within 15 feet of a fire hydrant

Within 20 feet of a crosswalk at an intersection

Within 30 feet upon the approach to any flashing signal, stop sign, yield sign, or other traffic control signal located at the side of a roadway

Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance

Within 50 feet of the nearest rail of a railroad crossing

On the paved part of any highway outside of a business or residential district when you can park off the roadway.

If you cannot park off the road:

Leave plenty of room for others to pass

Be sure that your vehicle can be seen for at least 200 feet from each direction

If at night, use your parking lights or leave your headlights on dim

Texas state law also provides that it is a violation (Class C misdemeanor - up to a \$500 fine) for a person to park, stand, or stop a vehicle in a disabled person parking space.

The law specifically states:

You may not park in a disabled parking space unless the vehicle has a disabled license plate or state-issued removable windshield identification card

You may not use a disabled parking windshield identification card unless transporting the disabled person to whom it was issued

You may not lend your windshield identification card to someone else

You may not block an access or curb ramp

## **5. Speed limits**

In the state of Texas, the following maximum speed limits must be followed by all vehicles under different conditions:

Urban Areas

*During the day:* 30 miles per hour

*At night:* 30 miles per hour

Beaches and Alleys

*During the day:* 15 miles per hour

*At night:* 15 miles per hour

Designated Rural Interstate Highways

*During the day:* 70 miles per hour

*At night:* 65 miles per hour

Urban Interstate and Federal or State Highways

*During the day:* 70 miles per hour

*At night:* 65 miles per hour

Designated School Bus Speed

*During the day:* 60 miles per hour (based on inspection rules)

*At night:* 50 miles per hour (based on inspection rules)

Be aware that cities and counties DO have the authority to change these limits.

## **Module 4**

### **1. Zero tolerance laws for minors**

In Texas, a “minor” is someone under 21 years of age. Generally speaking, a minor may not purchase, attempt to purchase, consume, or even possess an alcoholic beverage.

Since a minor should not even possess an alcoholic beverage, the 1997 Texas Legislature adopted Senate Bill 35, which established **zero tolerance** for minors who commit offenses under the non-driving alcohol-related laws as well as for minors who drive under the influence. Even if a minor is not intoxicated as defined under the DWI statute, if the minor has ANY detectable amount of alcohol in his or her system while he or she is operating a motor vehicle in a public place, as far as the law is concerned, the minor driver has committed the criminal offense of Driving Under the Influence of Alcohol by a Minor (DWI by a Minor).

### **2. Seatbelt laws**

Texas law holds the driver responsible for the making sure that all passengers in the vehicle are secured with the proper restraints in the appropriate legal fashion. The driver, and all passengers (both front AND rear) in a passenger vehicle are required to use safety belts. A “passenger vehicle” includes a passenger van designed to transport 15 or fewer passengers including the driver.

Children less than 8 years of age must be restrained in a child safety seat unless the child is at least 4’9”.

Safety belt means a lap belt and any shoulder straps included as original equipment on or added to a vehicle.

Safety belt usage requirements now include all pickups, SUVs and trucks.

### **3. Speeding tickets**

In the state of Texas, the following maximum speed limits must be followed by all vehicles under different conditions:

Urban Areas

*During the day:* 30 miles per hour

*At night:* 30 miles per hour

Beaches and Alleys

*During the day:* 15 miles per hour

*At night:* 15 miles per hour

Designated Rural Interstate Highways

*During the day:* 70 miles per hour

*At night:* 65 miles per hour

Urban Interstate and Federal or State Highways

*During the day:* 70 miles per hour

*At night:* 65 miles per hour

Designated School Bus Speed

*During the day:* 60 miles per hour (based on inspection rules)

*At night:* 50 miles per hour (based on inspection rules)

Be aware that cities and counties DO have the authority to change these limits.

The fine for speeding in the state of Texas varies from county to county; contact your local DPS office for more information.

### **4. Penalties for failure to yield right-of-way**

The penalties for failing to yield the right-of-way in the state of Texas vary from county to county and depending on the severity of the event; contact your local DPS office for more information.

### **5. DWI penalties**

The penalties for driving under the influence in the state of Texas are as follows:

**1<sup>st</sup> conviction (Class B Misdemeanor):**

**Fine** - up to \$2,000

**Jail time** – 72 hours to 6 months

Note: If you are also found guilty of violating the Open Container Law during your arrest, the minimum jail time is increased to 6 days

**Community service** – 24 to 100 hours

Mandatory attendance of a DWI education course within 180 days from the date of your conviction

Note: Failure to attend a DWI education course within 180 days from the date of your conviction will result in a one year suspension of your driver's license; HOWEVER, if you are a minor under 21 years of age, license suspension is automatic

**License Suspension** – 90 to 365 days

**2<sup>nd</sup> conviction (Class A Misdemeanor):**

**Fine** - up to \$4,000

**Jail time** – 30 days to 1 year

Note: If you are also found guilty of violating the Open Container Law during your arrest, the minimum jail time is increased to 6 days

**Community service** – 80 to 200 hours

**License suspension** – 180 days to 2 years

**3<sup>rd</sup> conviction (3<sup>rd</sup> degree Felony):**

**Fine** - up to \$10,000

**Jail time** – 2 to 10 years

**Community service** – 160 to 600 hours

**License suspension** – 180 days to 2 years

**6. Penalties for disregarding traffic signs**

The penalties for disregarding traffic signs in the state of Texas vary from county to county and depending on the severity of the event; contact your local DPS office for more information.

**7. Penalties for following too closely**

The penalties for following too closely in Texas vary from county to county; contact your local DPS office for more information.

**8. Penalties for improper turns**

The penalties for improper turns in the state of Texas vary from county to county and depending on the severity of the event; contact your local DPS office for more information.

### **9. Penalties for unsafe passing**

The penalties for unsafe passing in the state of Texas vary from county to county and depending on the severity of the event; contact your local DPS office for more information.

### **10. Tinted glass**

In the state of Texas, window tinting is only allowed to cover the side windows and rear windshield of your vehicle; on the front windshield, tinting is not allowed to cover more than 5 inches from the top of the windshield. On all tinting, the vehicle's windows must have at least 25% light transmittance and luminous reflectance of 25% or less, over the entire surface area of the tinting; however, if your vehicle is equipped with left and right outside mirrors, there is no minimum light transmittance requirement for the rear windshield.

### **11. Carpool lanes**

In the state of Texas, HOV ("carpool") lanes are restricted to vehicles occupied by 2 or more licensed drivers, as well as motorcycles and buses.

### **12. Turnabout laws**

In addition to the rules stated within the course handbook, in the state of Texas, an operator may not turn the vehicle to move in the opposite direction when approaching a curve or the crest of a grade if the vehicle is not visible to the operator of another vehicle approaching from either direction within 500 feet.

### **13. Parking laws**

In the state of Texas, it is illegal to park, stop, or stand a vehicle:

On the roadway side of any vehicle stopped or parked at the edge or curb of a street

On a sidewalk

Within an intersection

On a crosswalk

Between a safety zone and adjacent curb or within 30 feet of a place on the curb immediately opposite the end of a safety zone

Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic

Upon a bridge or other elevated structure upon a highway or within a highway tunnel

On any railroad track

At any place where an official sign prohibits stopping

Additionally, it is illegal in the state of Texas to stop or stand a vehicle:

In front of a public or private driveway  
Within 15 feet of a fire hydrant  
Within 20 feet of a crosswalk at an intersection  
Within 30 feet upon the approach to any flashing signal, stop sign, yield sign, or other traffic control signal located at the side of a roadway  
Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance  
Within 50 feet of the nearest rail of a railroad crossing  
On the paved part of any highway outside of a business or residential district when you can park off the roadway. If you cannot park off the road:

Leave plenty of room for others to pass  
Be sure that your vehicle can be seen for at least 200 feet from each direction  
If at night, use your parking lights or leave your headlights on dim

Texas state law also provides that it is a violation (Class C misdemeanor - up to a \$500 fine) for a person to park, stand, or stop a vehicle in a disabled person parking space. The law specifically states:

You may not park in a disabled parking space unless the vehicle has a disabled license plate or state-issued removable windshield identification card  
You may not use a disabled parking windshield identification card unless transporting the disabled person to whom it was issued  
You may not lend your windshield identification card to someone else  
You may not block an access or curb ramp

## **Module 5**

### **1. School buses**

If you approach a school bus from either direction and the bus is displaying alternately flashing red lights, you must stop and not pass until either the school bus has resumed motion, or you are signaled by the driver to proceed, or the red lights are no longer flashing.

You need not stop when meeting or passing a school bus that is on a different roadway, or upon a controlled-access highway where the school bus is stopped in a loading zone and pedestrians are not permitted to cross the roadway.

A person who fails to obey the law regarding yielding the right-of-way to school buses displaying alternating, flashing lights in the state of Texas is subject to a fine of \$200 to \$1,000. A second or subsequent conviction can also result in a license suspension of up to 6 months.

## **Module 6**

### **1. Carpool lanes**

In the state of Texas, HOV lanes (also known as “carpool lanes”) are restricted to vehicles occupied by 2 or more licensed drivers, as well as motorcycles and buses.

### **2. Use of horn while passing**

It is required by Texas state law that you sound your horn while passing, to alert other drivers.

## **Module 7**

### **1. DWI penalties**

The penalties for driving under the influence in the state of Texas are as follows:

#### **1<sup>st</sup> conviction (Class B Misdemeanor):**

**Fine** – up to \$2,000

**Jail time** – 72 hours to 6 months

Note: If you are also found guilty of violating the Open Container Law during your arrest, the minimum jail time is increased to 6 days

**Community service** – 24 to 100 hours

Mandatory attendance of a DWI education course within 180 days from the date of your conviction

Note: Failure to attend a DWI education course within 180 days from the date of your conviction will result in a one year suspension of your driver’s license; HOWEVER, if you are a minor under 21 years of age, license suspension is automatic

License Suspension – 90 to 365 days

#### **2<sup>nd</sup> conviction (Class A Misdemeanor):**

**Fine** – up to \$4,000

**Jail time** – 30 days to 1 year

Note: If you are also found guilty of violating the Open Container Law during your arrest, the minimum jail time is increased to 6 days

**Community service** – 80 to 200 hours  
**License suspension** – 180 days to 2 years

**3<sup>rd</sup> conviction (3<sup>rd</sup> degree Felony):**

**Fine** – up to \$10,000  
**Jail time** – 2 to 10 years  
**Community service** – 160 to 600 hours  
**License suspension** – 180 days to 2 years

**DWI with Child Passenger Under 15 (State Jail Felony)**

Punishable by a fine not to exceed \$10,000 confinement in jail for not less than 180 days nor more than 2 years.

License suspension for first-time offenders and increased suspension period for repeat offenders.

The driver license re-instatement fee for completing an education program is \$100.

## **Module 8**

### **1. Seatbelt laws**

Texas law holds the driver responsible for the making sure that all passengers in the vehicle are secured with the proper restraints in the appropriate legal fashion. The driver, and all passengers (both front AND rear) in a passenger vehicle are required to use safety belts. A “passenger vehicle” includes a passenger van designed to transport 15 or fewer passengers including the driver.

Safety belt means a lap belt and any shoulder straps included as original equipment on or added to a vehicle.

Safety belt usage requirements now include all pickups, SUVs and trucks.

### **2. Child restraint laws**

Children less than 8 years of age must be restrained in a child safety seat unless the child is at least 4'9".



# **Module 9**

## **1. Bicyclist laws**

In the state of Texas, a bicycle is considered a vehicle, and any person riding a bicycle has all of the rights and responsibilities of a driver of a vehicle. Bicyclists are required to ride as far right in the lane as possible only when the lane can be safely shared by a car and a bicycle, side by side. Even then, there are certain conditions that allow a bicyclist to take the full lane such as:

- The person is overtaking and passing another vehicle proceeding in the same direction
- The person is preparing for a left turn at an intersection or onto a private road or driveway
- There are unsafe conditions in the roadway, such as fixed or moving objects, parked or moving vehicles, pedestrians, animals, potholes, or debris
- The lane is of substandard width, making it unsafe for a car and a bicycle to safely share the lane side by side. When this is the case, it is best for the cyclist to take the full lane whether riding single file or two abreast

Bicyclists are not restricted to the right lane of traffic. One-way, multi-laned streets are one example; another instance is when the bicyclist is changing lanes to make a left turn. The bicyclist should follow the same path any other vehicle would take traveling the same direction. Motorists should merge with bicycle traffic when preparing for a right hand-turn - avoid turning directly across the path of bicycle traffic.

## **2. Farm equipment roadway laws**

According to the National Highway Traffic Safety Administration (NHTSA), in the state of Texas more than 2,000 people die every year in vehicle collisions in the rural regions of Texas. This includes towns as small as those with a population of less than 2,500. That means that more than 50 percent of all Texans that are casualties of fatal accidents annually, fall victims in rural areas. That's about twice as high as the national average. Some 70,000 more are reportedly injured in rural settings, accounting for 20 percent of all persons injured in accidents that occur in Texas.

One of the primary reasons for these disproportionate numbers is the low rate of seat belt use in these agricultural areas. As a result, the Family Passenger Safety and Rural Safe Communities Project were developed during the 1990's by the Texas DOT to provide outreach to rural regions on the importance of seat belt use. The effectiveness of this campaign varied raising seat belt use from 35 percent in one county to 80 percent in others. Many country roads are not accustomed to seeing a lot of traffic. That's why when you are leaving the city limits of Texas's metropolitan areas; you should be prepared for a different pace on the road.

You do not need a driver license to drive farm equipment, such as a tractor or other motorized farm vehicle. A Farm-Related Service Industry (FRSI) waiver can be obtained if you meet the following criteria:

- If you make your living as a farmer and control the usage of the vehicle
- Only use the vehicle to transport farm supplies and equipment to and from the farm

- Not used in place of a truck for non-farming transport uses
- The farm vehicle's usage is confined to a 150-mile radius of the owner's farm

A Farm-Related Service Industry (FRSI) waiver of a Commercial Driver's License (CDL) knowledge and skill tested requirements and issue a restricted, more narrowly construed CDL for a full-time employee working in the farm-related, agriculture industry. Seasonal farm employees who drive farm-related vehicles are required by federal regulation to obtain a FRSI waiver and be issued a restricted CDL if they:

Work for farm retail outlets and/or suppliers  
 Work for agri-chemical businesses  
 Operate custom harvesters  
 Work livestock feeders

The restricted CDLs will be for Class B and C vehicles only (Class A vehicles are exempt from these restrictions). The state of Texas requires that restricted CDL applicants pass a 20-question exam pertaining to vehicle Class A – B rules and a Class B non-CDL skill test.

It's also important to note that within the state of Texas, slow moving vehicles - such as tractors - that travel at 25 miles or less are required to display the triangular "road hazard" sign in the rear of the vehicle and hazard warning lights (white or amber) in the front.

Farm tractors, trailers and semi-trailers are not required to be registered, inspected, or display a license plate if the vehicles in question are only on the highway temporarily. However, an annual license fee of \$5.00 for a special visible plate is required for farm vehicles weighing over 4,000 pounds empty and no more than 20,000 pounds full.

Farm vehicles can be used to transport family members to and from civic, religious and social events, but not commercial ventures.

### **3. School buses**

If you approach a school bus from either direction and the bus is displaying alternately flashing red lights, you must stop and not pass until either the school bus has resumed motion, or you are signaled by the driver to proceed, or the red lights are no longer flashing.

You need not stop when meeting or passing a school bus that is on a different roadway, or upon a controlled-access highway where the school bus is stopped in a loading zone and pedestrians are not permitted to cross the roadway.

A person who fails to obey the law regarding yielding the right-of-way to school buses displaying alternating, flashing lights in the state of Texas is subject to a fine of \$200 to \$1,000. A second or subsequent conviction can also result in a license suspension of up to 6 months.

#### **4. DPS Roadside Safety programs**

In the state of Texas, the Department of Public Safety (DPS) does offer roadside assistance. If you are stalled out on a state road and need non-emergency roadside assistance, the toll-free number to contact the DPS for assistance should be printed on the back of your driver license. This service is only for reporting non-life-threatening situations. It should not be used in the event of an emergency. For emergency assistance, motorists should call 911. DPS may connect you to another local agency for assistance or dispatch a tow truck if you request it. But you should be aware that you would be liable for any towing expenses. Some wireless companies participate in roadside assistance programs that allow you to dial the DPS free of airtime charges to report non-emergency situations.

## **Module 10**

### **1. Vehicle registration**

When a non-resident owner or operator establishes residency in Texas or enters into gainful employment, his vehicle may be operated for 30 days thereafter, after which time the vehicle must be currently registered in Texas.

In Texas, in order to register your vehicle, it must pass a vehicle safety inspection and an inspection of the vehicle identification number. These services are available at a state-approved Safety Inspection Station. The inspection station will give you a form that you have to submit to the county tax office with an application for certificate of title.

### **2. Minimum Liability Insurance requirements**

Texas state law requires ALL drivers to have valid auto insurance when driving a vehicle.

**The Safety Responsibility Act** was enacted to ensure that all drivers in the state of Texas are financially responsible for the death, injury, or property damage they may cause while operating a motor vehicle. All owners and/or operators of motor vehicles in Texas must have at least the minimum amount of liability insurance:

- \$20,000 against the injury or death of one person
- \$40,000 against the injury or death of two or more persons
- \$15,000 against property damage

In order to comply with the Safety Responsibility Act, a driver must purchase liability insurance or be self-insured under the provisions under the Act. Evidence of financial responsibility must be presented to the proper authorities at the time a person applies for a driver's license, registers a motor vehicle, or obtains a motor vehicle inspection certificate.

### **3. Insurance types**

The following types of automobile insurance are generally some of the most common available in the state of Texas:

- **Liability insurance** – Liability insurance is required under Texas state law.
- **Medical Payments insurance** – Medical payments insurance is NOT required under Texas state law.
- **Personal Injury Protection (PIP) insurance** – PIP insurance is NOT required under Texas state law; however, insurance carriers in the state of Texas ARE required to offer \$2,500 of PIP insurance to you (although more can be purchased, if you wish); if you opt against the insurance, it must be rejected in writing.
- **Uninsured/Underinsured Motorist insurance** - Uninsured/Underinsured Motorist insurance is NOT required under Texas state law; however, insurance carriers in the state of Texas ARE required to offer it to you – should you decide to opt against it, you must reject the insurance in writing.
- **Collision insurance** – Collision insurance is NOT required under Texas state law; however, it IS required by lenders in the state of Texas, if you are leasing your vehicle or buying it on an auto loan.
- **Comprehensive insurance** - Comprehensive insurance is NOT required under Texas state law; however, it IS required by lenders in the state of Texas, if you are leasing your vehicle or buying it on an auto loan.
- **Towing & Reimbursement insurance** – Towing & Reimbursement insurance is NOT required under Texas state law.
- **Rental Reimbursement insurance** – Rental Reimbursement insurance is NOT required under Texas state law

### **4. The effect of driving violations on insurance premiums**

In Texas, your insurance premiums can be affected directly by the number or specific type of vehicular violations on one's driving record. These surcharges are based on certain formulas, based on specific rates for liability, collision, medical payment, and Personal Injury Protection (PIP) plans in your county of residence. The penalties are as follows:

- One collision (at-fault) in a 36-month period equals a 15% surcharge increase on your premium.
- Two collisions (at-fault) in a 36-month period equals a 35% surcharge.
- Three collisions (at-fault) in a 36-month period equals a 35% surcharge.
- A charge of involuntary manslaughter in a 36-month period equals a 60% surcharge.
- A charge of drunk driving in a 36-month period equals a 60% surcharge.
- A charge of criminally negligent driving in 36-month period equals a 60% surcharge.
- Driving without a license or driving with a suspended license in a 36-month period equals a 35% surcharge.
- There is no surcharge for moving violations (such as speeding, etc.).

## **5. Insurance discounts**

The following insurance discounts are some of the most commonly available to drivers in the state of Texas:

- **Defensive Driving & Driver's Education courses** - Insurance companies in the state of Texas are REQUIRED to offer discounts of 10% off Liability, Collision, Medical Payments, and Personal Injury Protection insurance plans for drivers who have taken a Defensive Driving course or Driver Education for young drivers.
- **Air bags** - Insurance companies in the state of Texas are REQUIRED to offer discounts of 15% off Medical Payments and Personal Injury Protection insurance plans for drivers who are driving an automobile equipped with driver's side airbags, and discounts of 30% off Medical Payments and Personal Injury Protection insurance plans for drivers who are driving an automobile equipped with airbags on both the driver and passenger sides.
- **Drug & Alcohol education** - Insurance companies in the state of Texas are REQUIRED to offer discounts of 5% off Liability, Collision, Medical Payments, and Personal Injury Protection insurance plans for all drivers who have previously taken a state-approved Drug and Alcohol education course.
- **Anti-theft devices** - Insurance companies in the state of Texas are REQUIRED to offer a discount on Comprehensive insurance plans for drivers who are driving an automobile equipped with an anti-theft device; the amount of the discount varies by device and county – ask your insurance agent for further details!
- **Students** - Most insurance companies in the state of Texas will pass along an Academic Achievement discount to a full-time high school (in at least the student's junior year of high school) or college student who maintains a 3.0 ("B" student) grade point average or higher. This initiative was designed to instill academic discipline by giving a young student driver an incentive to study, instead of engaging in reckless auto-driven escapades.

## **6. Insurance installment plans**

Insurance companies doing business in Texas are legally required to offer installment payment plans for auto insurance premiums. Some companies may outsource the financing of the installment plan to an independent company, who will usually charge higher rates.

By shopping around, you should be able to find an insurance company that not only charges low rates, but low-cost installation financing plans as well. Here are some questions you should ask:

- What is the size of the down payment?
- How many installments are there on an annual basis?
- What are the interest and service charges?
- What is the amount of the total monthly payment?

You should get answers to these questions from several companies before you make your final decision.

According to Texas law, insurers and finance companies must be comparable to these terms:

- For a 12-month policy, the down payment should be no higher than 16.67% for 10 equal monthly payments. If the policy is written through the Texas Automobile Insurance Plan Association (TAIPA), the down payment goes up to 20%.
- For a 6-month policy, the down payment is 33.33% for 4 equal monthly payments. Insurers and finance companies can offer plans with smaller down payments and extended payment plans.
- Insurance companies may legally add a service charge to your payment plan. The basic service charge is \$3.00 per month. But in some cases, an insurer or finance company can add 50 cents for every \$250 of your premium that is over \$500.

Premium finance companies are lenders that specialize in loaning money to drivers to pay their insurance premiums. These companies charge much higher interest rates for their services. A premium finance company could be directly owned by the insurance agent selling the auto insurance policy. Your insurance agent must disclose if your installment plan is with a premium finance company and provide the company's name.

If you buy your insurance through the Texas Automobile Insurance Plan Association (TAIPA), the agent offering a premium finance company loan must give you a disclosure form, which compares the agent's installment plan with TAIPA's. The side-by-side comparison shows the differences in fees, interest payments and installment payment plans. If you choose the premium finance company's plan over the plan offered by TAIPA, you must sign the disclosure form to that effect. Make sure when you pay your

down payment to the agent, make sure you get a receipt. It is the only proof you have that the agent sent the down payment to the insurance company.

Your loan agreement with the premium finance company gives them power of attorney over the payment transactions connected to your policy. They can go to the insurer and legally cancel your policy if you fall behind in your payments. If your policy is canceled, the premium finance company will use the refund to pay off your note. Whatever monies are left over afterwards go back to you within 20 days after the note is paid off.

Every premium finance company must have a license with the Texas Department of Insurance (TDI). Before signing up with a premium finance company, you should first:

- Make sure the agent fully explains your payment plan breakdown (policy and finance plan) so you understand how your plan is financed.
- Compare the installment plan offered by the premium finance company with the plan offered by the insurance company itself. Compare interest rates and bank charges.
- Never sign a policy until you understand all the individual charges item-by-item. Make sure the agreement presents the policy or binder number, the policy's effective date and the premium amount.
- Be sure you sign and date the premium finance agreement before you leave the agent's office.
- Insist on getting a copy of the installment agreement. You are required by law to receive a copy from the lender.

It is not advised that you pay your installments in cash. If you do, demand a receipt. You should only pay by check or money order, payable only to the company on your premium finance notice.

If you or the insurance company cancels your policy, make sure the premium finance company pays you any refund you are due.

## **7. Cancellation of insurance policies**

In the state of Texas, during the first 60 days of an insurance policy, the insurance company can cancel for any lawful reason, including a ticket or an accident. After the policy has been in effect more than 60 days, a company can cancel the policy for the following reasons:

- Failure to pay a premium
- Filing a fraudulent claim
- Your driver's license or motor vehicle tags have been suspended or revoked. This also applies to other drivers who live with the policy holder and customarily use the policy holder's car

In the event of a policy cancellation, the insurance company is required to give 10 days' notice, and provide a refund on any unearned amount of the premium already paid.

## **8. Penalties for littering**

Under the Texas Litter Abatement Act, it is now illegal to:

- To dispose of or allow someone else to dispose of litter at a place that is not a legal landfill.
- To receive litter for the purpose of disposing it at a place that is not a legal landfill, regardless of whether the litter or the land on which the litter is to be disposed belongs to or is controlled by the person.
- To transport litter to a place that is not a legal landfill for the purpose of dumping.

The penalties under the Texas Litter Abatement Act include:

- It is a Class C misdemeanor to illegally dispose of litter that weighs 15 pounds or less or has a volume of 13 gallons or less.
- It is a Class B misdemeanor to illegally dispose of litter that weighs more than 15 pounds but less than 500 pounds or has a volume of more than 13 gallons but less than 100 cubic feet. This would include things like abandoned furniture and appliances.
- It is a Class A misdemeanor to illegally dispose of litter that weighs 500 pounds or more or has a volume of 100 cubic feet or more. This would include items such as abandoned vehicles and farm equipment under the definition of “litter”.
- It is a Class A misdemeanor to illegally dispose of litter if it is for a commercial purpose and if the litter weighs more than 5 pounds or has a volume of more than 13 gallons.
- If a person has been previously convicted of violating this Act, that person’s punishment will be upgraded to the next highest category for any subsequent violation of this Act. For example, if a person has a prior conviction of a Class A misdemeanor, that person’s punishment will be for a third-degree felony the next time he/she violates this Act.

Texas litter laws are strict – if you’re ticketed for littering, you can face some serious fines.

- Littering in the state of Texas carries an initial fine of up to **\$500!** And that’s just for a **FIRST** offense!
- Didn’t learn your lesson the first time? Repeated offenders can receive fines of up to **\$2,000** and **180 days in jail!**
- Additional fines can be levied for failing to cover up your load of trash with a tarp – it can carry a fine of **\$200** for a first-time offense, and an additional **\$500** fine for repeat offenders!



- Discarding trash of more than 15 pounds is also considered illegal dumping – which is even worse than simple littering... it carries even steeper fines than those listed above, depending on the severity of the case.

## **9. Litter prevention programs**

Believe it or not, but it costs Texas taxpayers approximately **\$24,000,000** a year just to work on cleaning up the litter on our state highways – more than **\$16** an acre!

Just think what the state of Texas could do with that money each year, if drivers were just a little more cautious about their trash. If there were no litter, that money would go to things like:

- Paving and repairing the roads
- Completing beautification projects around the state

It would certainly be a better way to spend your tax money than just picking up someone else's trash, wouldn't it?

As you can see, Texas is a state that's serious about preserving its natural beauty – to this end the "Don't Mess with Texas" litter prevention campaign was developed in 1986 to encourage Texans to take pride in their state by keeping it clean. Millions of Texans are doing their part to keep Texas clean – so what can you do to help? Plenty!

- Take personal responsibility for your own garbage and encourage others to do the same. Always dispose of your litter properly. Place all litter in bags and secure with twist ties before tossing. Don't just let it fall all around the place... when it's in the trash bag, it's trash – but when it falls on the ground, suddenly, it's litter!
- Keep a litterbag in your vehicle and use it.
- Set an example for your neighbors, friends and children by putting your trash where it belongs.
- Cover debris in the back of your vehicle. More than half of roadside litter in Texas flies out the back of pickup trucks. If you have to haul trash somewhere, make sure it's well secured – or you can get busted for littering without even realizing you were doing it!
- Report license plate numbers of any vehicles you see hauling trash without a cover or illegally dumping trash or waste. Sure, they'll probably get a ticket – which they deserve, for breaking the law – but they'll also probably never litter again!
- Notify your local litter-fighting organization or environmental health department of illegal dumpsites – they need to know, and with your help, they'll be able to shut the lawbreakers down!
- Contact your local elected officials and let them know you are concerned about litter and illegal dumping in your community. If your elected officials know that YOU care about litter, they'll be more inclined to do more about it!

- Adopt a highway – highways need love, too!
- Join the Don't Mess with Texas Partner program and have your school take a proactive lead in litter prevention, or invite local officials to speak to neighborhood organizations about the litter law and illegal dumping problems.

Heck, even the way you drive your vehicle can help keep Texas cleaner! Protecting Texas's natural resources is extremely important, and that doesn't just mean litter on the ground – it means pollution in the air, too! Some things motorists can do to reduce pollution associated with operation of a motor vehicle include:

- Accelerate smoothly. If your engine doesn't have to "fight" to get moving, it'll use less gas – which is good for the environment!
- Brake gently – avoid marking up the roads with skid marks, and polluting the air with tire smoke!
- Keep your vehicle properly tuned – a well-tuned vehicle pollutes less... and it could get you better gas mileage, too!
- Recycle used motor oil and other fluids.
- Carpool – one car with four passengers causes 75% less pollution than four cars with one passenger each!

Of course, there's other ways you can help, too... and that's by helping to stop OTHER people from littering...

Police and law enforcement personnel aren't the only people who can put an end to all this littering and illegal dumping that's befouling Texas – citizens (like you!) can take an active role in putting an end to these crimes by teaming up with local officials.

So, what can you do to help law enforcement stop others from breaking littering laws? Well, if you see someone performing illegal dumping and breaking littering laws:

- Always weigh the litter. If it cannot be weighed at the dumpsite using hand scales, it should be weighed by the city or county agency that hauls the litter away for proper disposal. Remember – the amount of the litter determines how serious a crime it is, and the more there is, the worse the penalty!
- Measure the volume of the litter at the site. This can be done by assuming a tarp is thrown over the litter and measuring its dimensions. If the pile could just barely be covered by a 6'x6' tarp, for example, that'll help determine the seriousness of the charge. Courts in other states have ruled that empty space (for example, the space inside a junked car) counts toward the total volume of the litter.
- If you need to determine the cubic yardage of the litter in question, remember:
  - Seven 30-gallon trash bags, or 202 gallons of trash, equals 1 cubic yard

- The bed of an average pickup truck, if it was just filled to level (and not overflowing) would equal approximately 2 full cubic yards of litter
- Four 55-gallon drums equals 1 cubic yard of litter
- Dumpsters are each individually sized according to how many cubic yards of trash they hold; the amount will vary from dumpster to dumpster
- The law is written to give the strongest penalties to those who dump litter for profit. Look closely at the magnitude of the offense and the intent of those involved when considering the appropriate charge for the offense.
- Even if there is not enough evidence to file criminal charges, you can seek a civil injunction to stop illegal dumping. Also, the County Commissioner has the authority to remove litter from a person's property and send the landowner the bill, without having to get a criminal conviction first.
- Litter is given a very broad definition under the Texas Litter Abatement Act. Thus the word "litter" defines a vast range of materials such as grease or leftover food from restaurants, building materials abandoned at construction sites, and packaging materials from stores.

The **Texas Natural Resource Conservation Commission (TNRCC)** has information on grant programs to assist local governments in their efforts against illegal dumping and littering. For more information, call: 512-239-6660.

With your help, we can all work together to make Texas a cleaner place!