

Driver Responsibility Program Outreach and Education



TCOLE Course # 8159

January 2016

ABSTRACT

BPOC Chapter 9 Traffic Addendum

Per the 84th Texas Legislature, a rider was included in the DPS budget as follows:

46. Enhance Driver Responsibility Program Outreach and Education. Out of funds appropriated above, the Department of Public Safety (DPS) shall develop a statement about Driver Responsibility Program (DRP) surcharges and work with applicable agencies to include this statement in: (1) Texas Department of Insurance TexasSure insurance verification letters; (2) driver license renewal notices mailed by DPS; and (3) on the websites of certain cities that allow individuals to pay fines online for DRP surchargeable offenses.

DPS shall develop information regarding DRP and work in cooperation with the Texas Commission on Law Enforcement to incorporate this information into peace officer training academy and continuing education curricula.

As a result of this implementation, the following addendum (objectives) should be added to the Basic Peace Officer Course, Chapter 9 Traffic.

Note to Trainers: It is the responsibility of the coordinator to add the information in this addendum to the Traffic section of the Basic Peace Officer Course as of January 2016.

1.1 Examine the Drivers Responsibility Program (DRP)

The Driver Responsibility Program (DRP) was enacted in 2003 and can be found in Chapter 708 of the Texas Transportation Code. It establishes a system that authorizes the Texas Department of Public Safety (DPS) to assess surcharges to an individual based on certain traffic offenses. Individuals are notified by mail to the address on their driver license or their latest address with the U.S. Postal Service each time a surcharge is added to their driver record. Surcharges are in addition to other fees and do not replace a suspension, revocation, denial, disqualification or cancellation resulting from the same conviction.

A surcharge is an administration fee charged to a driver based on the number of points or convictions on the driver record. Surcharges are assessed in two ways:

- Point System
- Conviction-Based

Point System

Points are applied for moving traffic violation convictions and remain on the driver record for three years. Points are assigned as follows:

Points Assignment

Conviction Type	Assigned Points
Texas moving violation	2 points
Out-of-state moving violation	2 points
Texas moving violation resulting in a crash	3 points
Out-of-state moving violation resulting in a crash	3 points

Note: List of moving violations in [Administrative Code, Title 37, Part 1, Chapter 15, Rule 15.89](#).

A surcharge is applied when a driver accumulates six (6) points or more. The driver must pay \$100 for the first six (6) points and \$25 for each additional point. DPS reviews surcharges annually. A surcharge will continue to be applied if:

- The driver record continues to reflect six (6) or more points, or
- If the underlying conviction for the surcharge is still within three (3) years.

Points surcharges may change with the annual review if convictions are added or removed from the driver record.

Surcharges must be paid within 105 days or an individual's driver license will be suspended for failure to comply with the surcharge requirements. The individual's driving privileges will

remain suspended until an installment agreement is established or all surcharges and related costs (service fees) are paid in full.

Serious Convictions

Drivers who are convicted of one or more of the offenses below will pay a yearly surcharge for three (3) years from the reported date of each conviction. No points are applied since the surcharge is automatic upon conviction.

Conviction Surcharge

Conviction Type	Assigned Surcharges
Intoxication: 1 st offense, Texas or out-of-state conviction for driving while intoxicated (DWI), intoxication assault, or manslaughter.	\$1000
Intoxication: 2 nd or 3 rd or more offenses, Texas or out-of-state conviction for DWI, intoxication assault, or manslaughter.	\$1,500
DWI with blood alcohol concentration of 0.16 or greater, Texas or out-of-state conviction.	\$2,000
Driving without insurance	\$250
Driving while license invalid: driver license is cancelled, suspended, denied renewal, or revoked.	\$250
Driving without a license, no driver license or commercial driver license, expired license, or endorsement violation.	\$100

No Insurance Conviction

Individuals convicted of No Insurance but who have insurance at the time of the offense can submit proof of insurance to DPS. The suspension for the No Insurance offense will be waived but the individual must still pay the surcharge.

To avoid a conviction, the individual may present proof to the court that he or she had valid insurance at the time the citation. If the court determines the proof of insurance was valid, the charges will be dismissed.

Reduction Programs

DRP Reductions

- Surcharges assessed for a No Liability Insurance conviction will be reduced from \$250/year down to \$125/year if:

- The person obtains at least a 6 month prepaid policy no later than 60 days after the date of offense.
- Surcharges assessed for a No Driver License conviction will be reduced from \$100/year down to \$50/year if:
 - The person obtains a driver license no later than 60 days after the date of offense.

Indigency and Incentive Programs

Through Indigency and Incentive Programs, drivers with unpaid surcharges may qualify for significant reductions of the amount they owe and still maintain their driving privileges. Only surcharges assessed on or after September 1, 2011, will be considered for these programs. Eligibility is based on total income in comparison to the Federal Poverty level defined by the U.S. Department of Health and Human Services. Refer to the below table for specifics to these reductions:

	Indigency Program	
Poverty Level	Amount Owed Reduced to	Driving Privileges
125% or less	10% not to exceed \$250	Removes surcharge suspensions for 6 months
	Incentive Program	
Poverty level	Amount Owed reduced to	Driving Privileges
126% to 300%	50%	Removes surcharge suspensions for 6 months

Under these programs, the new reduced balance must be paid in full within six months. If the balance is not paid in full by the due date, driving privileges will be suspended until it is. Partial payments plus a \$2.50 service fee will be accepted during the six-month grace period.

Allocation of Funds

The average collection is \$170 Million annually, and the funds are distributed between:

- General Revenue Fund (49.5%)
- Trauma Center Fund (49.5%)
- DPS (1%)

Reference:

The above information is taken in large part from:

“Understanding the Driver responsibility Program (DRP)” Department of Public Safety, Driver License Division. www.dps.texas.gov/driverlicense/drp.htm