

[2019 Session] Reduce Harsh Penalties for Driving with an Invalid License

Policy Background

Currently, “Driving While License Invalid” (DWLI – a suspended license) is a fine-only Class C misdemeanor unless it is a person’s subsequent offense, in which case it becomes a Class B misdemeanor, warranting up to six months in jail and a \$2,000 fine. Tens of thousands of Texans are arrested and jailed each year for driving with a suspended license, some because they could not afford expensive civil “surcharges.” In 2017, approximately 25,000 Class B misdemeanor DWLI cases were added to Texas court dockets, and during that year, nearly 11,000 people were sentenced to county jail on a DWLI offense, with taxpayers footing the bill.¹

Proposed Solution

Reduce the penalty for a DWLI offense from a Class B to Class C misdemeanor, and reserve costly jail beds for those who pose a true threat to public safety.

Relevant Bill

- **Bill Number:** [HB 372](#) [Allen]
Bill Caption: Relating to the punishment for the offense of driving while license invalid.
TCJE Materials: [Fact Sheet](#)
House Hearing Notice: [Homeland Security & Public Safety, April 10, 2019](#)
TCJE House Action: [Testimony in support](#)
House Hearing Video: [Homeland Security & Public Safety, 4/10/19](#)
- **Bill Number:** [SB 663](#) [Menéndez]
Bill Caption: Relating to the punishment for the offense of driving while license invalid.

¹ Office of Court Administration, Court Activity Database, [County-Level Courts: Misdemeanor Case Activity Detail](#), January 1, 2017 to December 31, 2017.