

TEXAS DRIVER RESPONSIBILITY LAW

(Effective September 1, 2003)

POINT SYSTEM: The Driver Responsibility Law (TRC § 708; Article 10, House Bill 3588, 78th Legislative Session) establishes a system which assigns points to moving violations classified as Class C misdemeanors and applies surcharges to offenders, based upon the type of offense and the time period in which the citation was received. For each conviction, DPS will assign points to a person's driver record as follows:

- Two points for a moving violation conviction in Texas or that of another state. Moving violations are defined by [37 TEX. ADMIN. CODE §15.89](#), which includes a list of those violations that will be assigned points.
- Points will **not** be assigned for speeding less than 10% over the posted limit or for seat belt convictions.
- Child Safety Seat Violations will accrue two points.
- Three points for a moving violation conviction in Texas that resulted in a vehicle crash.

Points accrued remain on the driver record for a period of three years from conviction date. An offense committed prior to September 1, 2003 will not apply to the assessment of points under the program.

POINTS SURCHARGE: DPS will assess a surcharge when the driver accumulates a total of six points or more on their record during a three-year period. The surcharge assessment will be reviewed annually. If driver record continues to reflect six or more points during the prior three-year period, the surcharge will be assessed. Therefore, drivers may be required to pay for one or more years if six or more points continue to accumulate on the driver record. The driver is required to pay a \$100 surcharge for the first six points and \$25 for each additional point. Point surcharges are cumulative and may vary with each annual assessment if convictions are added or removed from the driver record.

ANNUAL SURCHARGE FOR CERTAIN CONVICTIONS: Drivers who receive a conviction for any of the following offenses that occur on or after September 1, 2003 are required to pay an annual surcharge for three years from the date of conviction.

1. Intoxication Offense Surcharge - Driving while intoxicated offenses as defined in Penal Code 49.09 will result in an annual assessment of a surcharge for three (3) consecutive years:
 - a. First time intoxication offense/conviction occurring in this state or another state will result in an annual assessment of \$1,000 or \$2,000 if the blood alcohol content is .16 or greater.
 - b. Second or subsequent Conviction - \$1,500 annual surcharge
2. Failure to Maintain Financial Responsibility (NO INSURANCE)
 - a. \$250 annual surcharge for three (3) consecutive years.
3. Driving While License Invalid
 - a. \$250 annual surcharge for three (3) consecutive years.

4. Driving without a Valid License (i.e.; No Driver License, No Commercial Driver License, No Endorsement Violation, No Motorcycle License, Operate with License for other Class Vehicle).
 - a. \$100 annual surcharge for three (3) consecutive years.

Surcharges, which are cumulative, are automatically assessed for these convictions and do not accrue points. Therefore, an initial conviction for DWI will be assessed \$1000 annually, and a subsequent DWI conviction within the same three-year period will be assessed an additional \$1500 annually.

All surcharges assessed for this program are in addition to all other reinstatement fees required for other administrative actions and do not replace any administrative suspension, revocation, disqualification or cancellation action that results from these same convictions.

Driver notification of surcharge and driver license suspension the driver will be notified by mail to the address on record with DPS of the assessment of a surcharge. The notice will state the surcharge must be paid within 30 days to prevent the suspension of driving privileges. Upon suspension for failure to comply with the surcharge requirements, driving privileges remain suspended until the person establishes an installment agreement, or pays in full all surcharges and related costs, such as service/collection fees.

As a courtesy, individual's establishing an installment agreement will receive monthly reminders with a payment coupon indicating the amount due and the remaining balance. Should a monthly reminder not be received, the driver is still responsible for making timely payments to prevent suspension of driving privileges.

Who receives the money collected? Each surcharge collected by the Department under this law will be remitted to the Texas State Comptroller's office on a monthly basis. The Trauma Center and Texas General Revenue Funds receive 99% of the revenue collected, while DPS receives the remaining one percent for the administration of the Driver Responsibility Program.

Contact Information

To obtain information regarding your convictions, a copy of your driving record may be purchased by completing the application form and mailing to the Department with the appropriate fee, or visiting [TDPS -- Online Services](#).

For full payment of a surcharge or to establish an installment agreement, please contact the Municipal Services Bureau at 1-(800)-688-6882. The Municipal Services Bureau is the vendor responsible for the mailing of surcharge notices and collection of all fees.

If you have additional questions regarding the surcharge program, you may visit our [Frequently Asked Questions](#), or contact

Customer Service at (512) 424-2600 or by email to customerservicedl@txdps.state.tx.us.

For Spanish, please call (512) 424-7181.