

ORDINANCE NO. 20160407-017

AN ORDINANCE AMENDING CITY CODE TITLE 13 (*TRANSPORTATION SERVICES*) RELATING TO CHAUFFEUR'S PERMITS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Subsections (B) and (C) of City Code Section 13-2-102 (*Contents of an Application*) is amended to read:

- (B) The applicant must attach to the application a copy of the applicant's complete [~~criminal history and~~]driving record[,] and nationwide criminal history issued and certified by the Texas Department of Public Safety or other relevant governmental entity as determined by the department. The criminal history and driving record must be issued and certified not earlier than the 30th day before the date the applicant submits an application for a chauffeur's permit.
 - (i) Consistent with the requirements of Texas Government Code Sections 411.122 and 411.087, which authorize the City to obtain criminal history record information maintained or indexed by the Federal Bureau of Investigation (FBI) through the Texas Department of Public Safety (DPS).
 - (ii) Each individual whose application for a license, permit or authorization or any renewal thereof is subject to subsection (a) shall be required to provide a complete set of fingerprints and other identifying information to the official designated by the permitting, licensing or authorizing department, along with any applicable fee and any release or waiver forms required in order for the official to conduct a national background check through the FBI.
 - (iii) Upon receipt of the fingerprints and any applicable fee, the City, or City approved third-party, is authorized to submit the fingerprints to the DPS for a search of the State's criminal history record, and the DPS is authorized to forward a set of the fingerprints to the FBI for a national criminal history check. The results of the FBI check will be returned to the DPS, which will disseminate the results of state and national criminal history checks to the City.
 - (iv) The criminal history record information obtained through the FBI will be used by the Austin Transportation Department to determine whether an individual is prohibited from obtaining a chauffeur's permit.

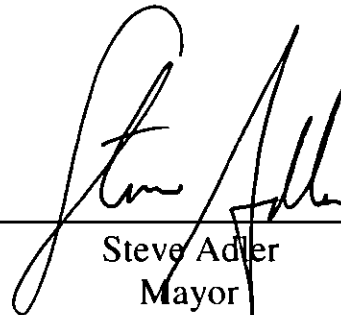
- (C) An applicant who has been a resident of Texas for less than three years preceding the date the application is submitted must also submit a [~~criminal history and~~] driving record certified by the appropriate governmental authority in the former state of residence. The [~~criminal history and~~] driving record from the appropriate governmental authority in the former state of residence must be issued and certified not earlier than the 30th day before the date the applicant submits an application for a chauffeur's permit.

PART 2. This ordinance takes effect on April 18, 2016.

PASSED AND APPROVED

_____, April 7 _____, 2016

§
§
§



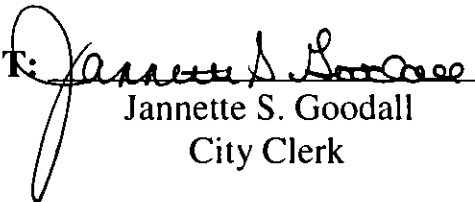
Steve Adler
Mayor

APPROVED:



Anne L. Morgan
City Attorney

ATTEST:



Jannette S. Goodall
City Clerk