

COMMITTEE ON CRIMINAL JURISPRUDENCE



Sam W. Russell
Chairman

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Opinion Committee

The Honorable Dan Morales
Attorney General
Supreme Court Building
Austin, Texas 78701

Dear General Morales:

On the back side of the new renewal forms for a driver's license there are a series of questions asked in regard to the licensee. Question No. 5 asks for a "yes" or "no" answer under oath to the following:

Have you ever had a problem, been arrested or hospitalized as a direct result of alcohol or drug abuse within the past:
{ } one year if applying for Class C License? { } two years if applying for Class A or Class B License?"

I have been requested to ask for an Attorney General's opinion on the constitutionality of the question. In your opinion does the question violate the 5th and 14th Amendments of the United States Constitution?

I appreciate your consideration of this request.

Sincerely,

Sam W. Russell
Chairman
Committee on Criminal Jurisprudence

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