

By: Huffman, Zaffirini

S.B. No. 1495

A BILL TO BE ENTITLED

1 AN ACT
2 relating to certain criminal offenses related to highways and motor
3 vehicles; creating a criminal offense; increasing a criminal
4 penalty.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 42.03, Penal Code, is amended by
7 amending Subsection (c) and adding Subsection (d) to read as
8 follows:

9 (c) An offense under this section is a Class B misdemeanor,
10 except that the offense is a state jail felony if it is shown on the
11 trial of the offense that the offense was committed in furtherance
12 of:

13 (1) an offense under Section 545.420, Transportation
14 Code; or

15 (2) a reckless driving exhibition.

16 (d) For purposes of this section, "reckless driving
17 exhibition" means an operator of a motor vehicle intentionally:

18 (1) breaking the traction of the vehicle's rear tires;

19 (2) spinning the vehicle's rear tires continuously by
20 pressing the accelerator and increasing the engine speed; and

21 (3) steering the vehicle in a manner designed to
22 rotate the vehicle.

23 SECTION 2. Section 545.401(b), Transportation Code, is
24 amended to read as follows:

1 (b) An offense under this section is a misdemeanor
2 punishable by:

3 (1) a fine of not less than \$1,000 or more than \$4,000
4 ~~[not to exceed \$200]~~;

5 (2) confinement in ~~[county]~~ jail for a term not to
6 exceed one year ~~[not more than 30 days]~~; or

7 (3) both the fine and the confinement.

8 SECTION 3. Subchapter I, Chapter 545, Transportation Code,
9 is amended by adding Section 545.4205 to read as follows:

10 Sec. 545.4205. INTERFERENCE WITH PEACE OFFICER
11 INVESTIGATION OF RECKLESS DRIVING EXHIBITION; CRIMINAL OFFENSE.

12 (a) A person commits an offense if they use their body, a car, or a
13 barricade to knowingly impede or otherwise interfere with a peace
14 officer's investigation of an exhibition of conduct prohibited
15 under Section 545.420 or a reckless driving exhibition, as defined
16 by Section 42.03, Penal Code.

17 (b) An offense under this section is a Class B misdemeanor.

18 (c) If conduct constituting an offense under this section
19 also constitutes an offense under any other law, the actor may be
20 prosecuted under this section, the other law, or both.

21 SECTION 4. The changes in law made by this Act apply only to
22 an offense committed on or after the effective date of this Act. An
23 offense committed before the effective date of this Act is governed
24 by the law in effect when the offense was committed, and the former
25 law is continued in effect for that purpose. For purposes of this
26 section, an offense was committed before the effective date of this
27 Act if any element of the offense occurred before that date.

1 SECTION 5. This Act takes effect September 1, 2021.