

By: Goodwin

H.B. No. 1855

A BILL TO BE ENTITLED

AN ACT

relating to the designation of highway safety corridors; increasing
a fine.

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

SECTION 1. This Act shall be known as the Dr. Michael James
Babineaux Act.

SECTION 2. Subchapter K, Chapter 201, Transportation Code,
is amended by adding Section 201.9051 to read as follows:

Sec. 201.9051. HIGHWAY SAFETY CORRIDOR. (a) In this
section, "political subdivision" means a municipality or county.

(b) The department shall designate as a highway safety
corridor a portion of a roadway containing a site with a high number
of traffic accidents that lead to a serious injury or fatality as
identified by the governing body of a political subdivision in
whose jurisdiction the site is located.

(c) The department shall remove a highway safety corridor
designation made under Subsection (b) on the 10th anniversary of
the designation unless a governing body that identified the high
traffic accident site notifies the department that the designation
should be removed before that date or extended after that date. Each
designation extension made under this subsection must be for a
period of 10 years unless a shorter period is requested by the
governing body and may be removed or extended as provided by this
subsection for an initial designation.

1 (d) The department may:

2 (1) designate as a highway safety corridor a portion
3 of a roadway containing a site with a high number of traffic
4 accidents that lead to a serious injury or fatality as identified by
5 the department; and

6 (2) at the department's discretion, remove a
7 designation made under this subsection.

8 (e) The department shall erect a sign at each end of a
9 designated portion of a roadway and at appropriate intermediate
10 sites along the roadway:

11 (1) indicating that the roadway is a highway safety
12 corridor; and

13 (2) stating "Fines double: highway safety corridor."

14 (f) The department by rule may prescribe forms for use by a
15 political subdivision for the designation of a highway safety
16 corridor under Subsection (b) and the removal or extension of a
17 highway safety corridor designation under Subsection (c).

18 (g) The department may distribute literature to the public
19 concerning highway safety corridors designated under this section.

20 SECTION 3. Subchapter D, Chapter 542, Transportation Code,
21 is amended by adding Section 542.405 to read as follows:

22 Sec. 542.405. FINE FOR OFFENSE IN HIGHWAY SAFETY CORRIDOR.

23 (a) In this section, "highway safety corridor" means a portion of a
24 roadway designated under Section 201.9051.

25 (b) If an offense under this subtitle, other than an offense
26 under Chapter 548 or 552 or Section 545.412 or 545.413, is committed
27 in a highway safety corridor:

1 (1) the minimum fine applicable to the offense is
2 twice the minimum fine that would be applicable to the offense if it
3 were committed outside a highway safety corridor; and

4 (2) the maximum fine applicable to the offense is
5 twice the maximum fine that would be applicable to the offense if it
6 were committed outside a highway safety corridor.

7 SECTION 4. The change in law made by this Act applies only
8 to an offense committed on or after the effective date of this Act.
9 An offense committed before the effective date of this Act is
10 covered by the law in effect immediately before the effective date
11 of this Act, and the former law is continued in effect for that
12 purpose. For purposes of this section, an offense was committed
13 before the effective date of this Act if any element of the offense
14 was committed before that date.

15 SECTION 5. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2023.