

1-1 By: Canales (Senate Sponsor - Hinojosa) H.B. No. 2190
1-2 (In the Senate - Received from the House May 10, 2023;
1-3 May 11, 2023, read first time and referred to Committee on
1-4 Transportation; May 18, 2023, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 May 18, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>Nichols</u>	X		
1-10	<u>West</u>	X		
1-11	<u>Alvarado</u>	X		
1-12	<u>Eckhardt</u>	X		
1-13	<u>Hancock</u>	X		
1-14	<u>King</u>	X		
1-15	<u>Miles</u>	X		
1-16	<u>Parker</u>	X		
1-17	<u>Perry</u>	X		

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 2190 By: West

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the terminology used to describe
1-22 transportation-related accidents.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 22.085(b), Transportation Code, is
1-25 amended to read as follows:

1-26 (b) A joint board may use contracts and rating plans and may
1-27 implement risk management programs designed to prevent collisions
1-28 [~~accidents~~]. In developing its insurance program, a joint board
1-29 may consider the peculiar hazards, indemnity standards, and past
1-30 prospective loss and expense experience of the joint board and of
1-31 its contractors and subcontractors.

1-32 SECTION 2. Sections 112.103(b) and (c), Transportation
1-33 Code, are amended to read as follows:

1-34 (b) An operator who is involved, while operating a
1-35 locomotive, in a collision [~~an accident~~] resulting in injury to or
1-36 death of a person or damage to a vehicle that is driven or attended
1-37 by a person shall immediately stop the locomotive at the scene of
1-38 the collision [~~accident~~].

1-39 (c) The operator shall render to a person injured in the
1-40 collision [~~accident~~] reasonable assistance, including
1-41 transporting, or the making of arrangements for transporting, the
1-42 person to a physician, surgeon, or hospital for medical or surgical
1-43 treatment if it is apparent that treatment is necessary or if the
1-44 injured person requests transportation.

1-45 SECTION 3. Section 192.005, Transportation Code, is amended
1-46 to read as follows:

1-47 Sec. 192.005. RECORD OF COLLISION [~~ACCIDENT~~] OR
1-48 VIOLATION. If a person operating a railroad locomotive or train is
1-49 involved in a collision [~~an accident~~] with another train or a motor
1-50 vehicle or is arrested for violation of a law relating to the
1-51 person's operation of a railroad locomotive or train:

1-52 (1) the number of or other identifying information on
1-53 the person's driver's license or commercial driver's license may not
1-54 be included in any report of the collision [~~accident~~] or violation;
1-55 and

1-56 (2) the person's involvement in the collision
1-57 [~~accident~~] or violation may not be recorded in the person's
1-58 individual driving record maintained by the Department of Public
1-59 Safety.

1-60 SECTION 4. Section 201.806, Transportation Code, is amended

2-1 to read as follows:

2-2 Sec. 201.806. COLLISION [~~ACCIDENT~~] REPORTS. (a) The
2-3 department shall:

2-4 (1) tabulate and analyze the vehicle collision
2-5 [~~accident~~] reports it receives; and

2-6 (2) annually or more frequently publish on the
2-7 department's Internet website statistical information derived from
2-8 the collision [~~accident~~] reports as to the number, cause, and
2-9 location of highway collisions [~~accidents~~], including information
2-10 regarding the number of:

2-11 (A) collisions [~~accidents~~] involving injury to,
2-12 death of, or property damage to a bicyclist or pedestrian; and

2-13 (B) fatalities caused by a bridge collapse, as
2-14 defined by Section 550.081.

2-15 (b) The department shall provide electronic access to the
2-16 system containing the collision [~~accident~~] reports so that the
2-17 Department of Public Safety can perform its duties, including the
2-18 duty to make timely entries on driver records.

2-19 SECTION 5. Sections 201.909(a), (b), and (c),
2-20 Transportation Code, are amended to read as follows:

2-21 (a) In this section, "victim" means a person killed in a
2-22 highway collision [~~accident~~] involving alcohol or a controlled
2-23 substance, excluding an operator who was under the influence of
2-24 alcohol or a controlled substance.

2-25 (b) The commission by rule shall establish and administer a
2-26 memorial sign program to publicly memorialize the victims of
2-27 alcohol or controlled substance-related vehicle collisions
2-28 [~~accidents~~].

2-29 (c) A sign designed and posted under this section shall
2-30 include:

2-31 (1) the phrase "Please Don't Drink and Drive";

2-32 (2) the phrase "In Memory Of" and the name of one or
2-33 more victims in accordance with the commission rule; and

2-34 (3) the date of the collision [~~accident~~] that resulted
2-35 in the victim's death.

2-36 SECTION 6. Sections 201.911(a), (b), and (c),
2-37 Transportation Code, are amended to read as follows:

2-38 (a) In this section, "victim" means a person killed in a
2-39 highway collision [~~accident~~] while operating or riding on a
2-40 motorcycle.

2-41 (b) The commission by rule shall establish and administer a
2-42 memorial sign program to publicly memorialize the victims of
2-43 motorcycle collisions [~~accidents~~].

2-44 (c) A sign designed and posted under this section shall
2-45 include:

2-46 (1) a red cross;

2-47 (2) the phrase "In Memory Of" and the name of one or
2-48 more victims in accordance with the commission rule; and

2-49 (3) the date of the collision [~~accident~~] that resulted
2-50 in the victim's death.

2-51 SECTION 7. Section 222.003(d), Transportation Code, is
2-52 amended to read as follows:

2-53 (d) Of the aggregate principal amount of bonds and other
2-54 public securities that may be issued under this section, the
2-55 commission shall issue bonds or other public securities in an
2-56 aggregate principal amount of \$1.2 billion to fund projects that
2-57 reduce collisions [~~accidents~~] or correct or improve hazardous
2-58 locations on the state highway system. The commission by rule
2-59 shall prescribe criteria for selecting projects eligible for
2-60 funding under this section. In establishing criteria for the
2-61 projects, the commission shall consider collision [~~accident~~] data,
2-62 traffic volume, pavement geometry, and other conditions that can
2-63 create or exacerbate hazardous roadway conditions.

2-64 SECTION 8. Section 391.038(c-2), Transportation Code, is
2-65 amended to read as follows:

2-66 (c-2) Subsection (c-1) does not apply to the rebuilding of a
2-67 sign under Subsection (c) if the person who holds the permit for the
2-68 sign rebuilds because of damage to the sign caused by:

2-69 (1) wind or a natural disaster;

- 3-1 (2) a motor vehicle collision [~~accident~~]; or
- 3-2 (3) an act of God.

3-3 SECTION 9. Section 451.108(c), Transportation Code, is
 3-4 amended to read as follows:

3-5 (c) A peace officer commissioned under this section, except
 3-6 as provided by Subsections (d) and (e), or a peace officer
 3-7 contracted for employment by an authority confirmed before July 1,
 3-8 1985, in which the principal municipality has a population of less
 3-9 than 850,000, may:

3-10 (1) make an arrest in any county in which the transit
 3-11 authority system is located as necessary to prevent or abate the
 3-12 commission of an offense against the law of this state or a
 3-13 political subdivision of this state if the offense or threatened
 3-14 offense occurs on or involves the transit authority system;

3-15 (2) make an arrest for an offense involving injury or
 3-16 detriment to the transit authority system;

3-17 (3) enforce traffic laws and investigate traffic
 3-18 collisions [~~accidents~~] that involve or occur in the transit
 3-19 authority system; and

3-20 (4) provide emergency and public safety services to
 3-21 the transit authority system or users of the transit authority
 3-22 system.

3-23 SECTION 10. Section 451.454(c), Transportation Code, is
 3-24 amended to read as follows:

3-25 (c) Each audit must include an examination of:

3-26 (1) one or more of the following:

3-27 (A) the administration and management of the
 3-28 authority;

3-29 (B) transit operations; or

3-30 (C) transit authority system maintenance;

3-31 (2) the authority's compliance with applicable state
 3-32 law, including this chapter; and

3-33 (3) the following performance indicators:

3-34 (A) operating cost per passenger, per revenue
 3-35 mile, and per revenue hour;

3-36 (B) sales and use tax receipts per passenger;

3-37 (C) fare recovery rate;

3-38 (D) average vehicle occupancy;

3-39 (E) on-time performance;

3-40 (F) number of collisions [~~accidents~~] per 100,000
 3-41 miles; and

3-42 (G) number of miles between mechanical road
 3-43 calls.

3-44 SECTION 11. Section 451.455(h), Transportation Code, is
 3-45 amended to read as follows:

3-46 (h) The number of collisions [~~accidents~~] per 100,000 miles
 3-47 is computed by multiplying the annual number of collisions
 3-48 [~~accidents~~] by 100,000 and dividing the product by the number of
 3-49 miles for all service, including charter and nonrevenue service,
 3-50 directly operated by the authority for the same period. In this
 3-51 subsection, "collision [~~accident~~]" includes:

3-52 (1) a collision that involves an authority's revenue
 3-53 vehicle, other than a lawfully parked revenue vehicle, and that
 3-54 results in property damage, injury, or death; and

3-55 (2) an incident that results in the injury or death of
 3-56 a person on board or boarding or alighting from an authority's
 3-57 revenue vehicle.

3-58 SECTION 12. Section 452.062(b), Transportation Code, is
 3-59 amended to read as follows:

3-60 (b) An authority may use contracts, rating plans, and risk
 3-61 management programs designed to encourage collision [~~accident~~]
 3-62 prevention.

3-63 SECTION 13. Section 452.454(c), Transportation Code, is
 3-64 amended to read as follows:

3-65 (c) Each audit must include an examination of:

3-66 (1) one or more of the following:

3-67 (A) the administration and management of the
 3-68 authority;

3-69 (B) transit operations; or

- 4-1 (C) transit authority system maintenance;
- 4-2 (2) the authority's compliance with applicable state
- 4-3 law, including this chapter; and
- 4-4 (3) the following performance indicators:
- 4-5 (A) subsidy per passenger, operating cost per
- 4-6 revenue mile, and operating cost per revenue hour;
- 4-7 (B) sales and use tax receipts per passenger;
- 4-8 (C) fare recovery rate;
- 4-9 (D) number of passengers per hour;
- 4-10 (E) on-time performance;
- 4-11 (F) number of collisions [~~accidents~~] per 100,000
- 4-12 miles; and
- 4-13 (G) number of miles between mechanical service
- 4-14 calls.

4-15 SECTION 14. Section 452.455(i), Transportation Code, is
4-16 amended to read as follows:

4-17 (i) The number of collisions [~~accidents~~] per 100,000 miles
4-18 is computed by multiplying the annual number of collisions
4-19 [~~accidents~~] by 100,000 and dividing the product by the number of
4-20 miles for all service, including charter and nonrevenue service for
4-21 the same period. In this subsection, "collision [~~accident~~]"
4-22 includes:

4-23 (1) a collision that involves an authority's revenue
4-24 vehicle, other than a lawfully parked revenue vehicle, and results
4-25 in property damage, injury, or death; and

4-26 (2) an operating incident resulting in the injury or
4-27 death of a person on board or boarding or alighting from an
4-28 authority's revenue vehicle.

4-29 SECTION 15. Section 460.110(b), Transportation Code, is
4-30 amended to read as follows:

4-31 (b) An authority may use contracts, rating plans, and risk
4-32 management programs designed to encourage collision [~~accident~~]
4-33 prevention.

4-34 SECTION 16. Section 463.065(b), Transportation Code, is
4-35 amended to read as follows:

4-36 (b) An authority may use contracts, rating plans, and risk
4-37 management programs designed to encourage collision [~~accident~~]
4-38 prevention.

4-39 SECTION 17. Section 521.025(c), Transportation Code, is
4-40 amended to read as follows:

4-41 (c) A person who violates this section commits an
4-42 offense. An offense under this subsection is a misdemeanor
4-43 punishable by a fine not to exceed \$200, except that:

4-44 (1) for a second conviction within one year after the
4-45 date of the first conviction, the offense is a misdemeanor
4-46 punishable by a fine of not less than \$25 or more than \$200;

4-47 (2) for a third or subsequent conviction within one
4-48 year after the date of the second conviction the offense is a
4-49 misdemeanor punishable by:

4-50 (A) a fine of not less than \$25 or more than \$500;

4-51 (B) confinement in the county jail for not less
4-52 than 72 hours or more than six months; or

4-53 (C) both the fine and confinement; and

4-54 (3) if it is shown on the trial of the offense that at
4-55 the time of the offense the person was operating the motor vehicle
4-56 in violation of Section 601.191 and caused or was at fault in a
4-57 motor vehicle collision [~~accident~~] that resulted in serious bodily
4-58 injury to or the death of another person, an offense under this
4-59 section is a Class A misdemeanor.

4-60 SECTION 18. Section 521.042, Transportation Code, is
4-61 amended to read as follows:

4-62 Sec. 521.042. COLLISION [~~ACCIDENT~~] AND CONVICTION REPORTS;
4-63 INDIVIDUAL RECORDS. (a) Except as provided by this section, the
4-64 department shall record each collision [~~accident~~] report and
4-65 abstract of the court record of a conviction received by the
4-66 department under a law of this state.

4-67 (b) The records must enable the department to consider, on
4-68 receipt of a renewal application and at other suitable times, the
4-69 record of each license holder that shows any:

5-1 (1) conviction of that license holder; and
 5-2 (2) traffic collision [~~accident~~] in which the license
 5-3 holder has been involved.

5-4 (c) The record of a license holder who is employed as a peace
 5-5 officer, fire fighter, or emergency medical services employee of
 5-6 this state, a political subdivision of this state, or a special
 5-7 purpose district may not include information relating to a traffic
 5-8 collision [~~accident~~] that occurs while the peace officer, fire
 5-9 fighter, or emergency medical services employee is driving an
 5-10 official vehicle in the course and scope of the license holder's
 5-11 official duties if:

5-12 (1) the traffic collision [~~accident~~] resulted in
 5-13 damages to property of less than \$1,000; or

5-14 (2) an investigation of the collision [~~accident~~] by a
 5-15 peace officer, other than a peace officer involved in the collision
 5-16 [~~accident~~], determines that the peace officer, fire fighter, or
 5-17 emergency medical services employee involved in the collision
 5-18 [~~accident~~] was not at fault.

5-19 (d) Before issuing or renewing a license, the department
 5-20 shall examine the record of the applicant for information relating
 5-21 to a conviction of a traffic violation or involvement in a traffic
 5-22 collision [~~accident~~]. The department may not issue or renew a
 5-23 license if the department determines that the issuance or renewal
 5-24 of the license would be inimical to the public safety.

5-25 (e) The director may maintain records required under this
 5-26 subchapter on microfilm or computer.

5-27 SECTION 19. The heading to Section 521.046, Transportation
 5-28 Code, is amended to read as follows:

5-29 Sec. 521.046. DISCLOSURE OF COLLISION [~~ACCIDENT~~] AND
 5-30 CONVICTION INFORMATION.

5-31 SECTION 20. Section 521.046(a), Transportation Code, is
 5-32 amended to read as follows:

5-33 (a) In addition to the information authorized to be released
 5-34 under Section 521.045, on receipt of a written request and payment
 5-35 of a \$6 fee, the department may disclose that information and
 5-36 information regarding each reported motor vehicle moving
 5-37 violation, as defined by department rule, resulting in a traffic
 5-38 law conviction and each motor vehicle collision [~~accident~~] in which
 5-39 the individual received a citation, by date and location, within
 5-40 the three years preceding the date of the request, to a person who:

5-41 (1) is eligible to receive the information under
 5-42 Chapter 730; and

5-43 (2) submits to the department the individual's
 5-44 driver's license number or the individual's full name and date of
 5-45 birth.

5-46 SECTION 21. Section 521.047(b), Transportation Code, is
 5-47 amended to read as follows:

5-48 (b) The department may disclose information as recorded in
 5-49 department records that relates to:

5-50 (1) the individual's date of birth;

5-51 (2) the current license status of the individual;

5-52 (3) the individual's most recent address;

5-53 (4) the completion of an approved driver education
 5-54 course by the individual;

5-55 (5) the fact of, but not the reason for, completion of
 5-56 a driver safety course by the individual; and

5-57 (6) each of the individual's reported traffic law
 5-58 violations and motor vehicle collisions [~~accidents~~], by date and
 5-59 location.

5-60 SECTION 22. Section 521.049(e), Transportation Code, is
 5-61 amended to read as follows:

5-62 (e) A driver's license record or personal identification
 5-63 certificate record provided under Subsection (d)(1) may not include
 5-64 information relating to an individual's social security number or
 5-65 any collision [~~accident~~] or conviction information about an
 5-66 individual.

5-67 SECTION 23. Section 521.060(a), Transportation Code, is
 5-68 amended to read as follows:

5-69 (a) The department shall maintain in its files a record of

6-1 the name, address, and telephone number of each individual
6-2 identified by the holder of a driver's license or personal
6-3 identification certificate as an individual the holder authorizes
6-4 to be contacted in the event that the holder is injured or dies in or
6-5 as a result of a vehicular collision [~~accident~~] or another
6-6 emergency situation. In addition, the department shall maintain
6-7 in its files a record of any medical information described by
6-8 Section 521.125(a) that is provided to the department under
6-9 Subsection (c) or any health condition information that is
6-10 voluntarily provided to the department under Section 521.142(h).

6-11 SECTION 24. Section 521.292(a), Transportation Code, is
6-12 amended to read as follows:

6-13 (a) The department shall suspend the person's license if the
6-14 department determines that the person:

6-15 (1) has operated a motor vehicle on a highway while the
6-16 person's license was suspended, canceled, disqualified, or
6-17 revoked, or without a license after an application for a license was
6-18 denied;

6-19 (2) is a habitually reckless or negligent operator of
6-20 a motor vehicle;

6-21 (3) is a habitual violator of the traffic laws;

6-22 (4) has permitted the unlawful or fraudulent use of
6-23 the person's license;

6-24 (5) has committed an offense in another state or
6-25 Canadian province that, if committed in this state, would be
6-26 grounds for suspension;

6-27 (6) has been convicted of two or more separate
6-28 offenses of a violation of a restriction imposed on the use of the
6-29 license;

6-30 (7) has been responsible as a driver for any collision
6-31 [~~accident~~] resulting in serious personal injury or serious property
6-32 damage;

6-33 (8) is under 18 years of age and has been convicted of
6-34 two or more moving violations committed within a 12-month period;
6-35 or

6-36 (9) has committed an offense under Section 545.421.

6-37 SECTION 25. Section 521.457(f-2), Transportation Code, is
6-38 amended to read as follows:

6-39 (f-2) An offense under this section is a Class A misdemeanor
6-40 if it is shown on the trial of the offense that at the time of the
6-41 offense the person was operating the motor vehicle in violation of
6-42 Section 601.191 and caused or was at fault in a motor vehicle
6-43 collision [~~accident~~] that resulted in serious bodily injury to or
6-44 the death of another person.

6-45 SECTION 26. Section 522.003(25), Transportation Code, is
6-46 amended to read as follows:

6-47 (25) "Serious traffic violation" means:

6-48 (A) a conviction arising from the driving of a
6-49 motor vehicle, other than a parking, vehicle weight, or vehicle
6-50 defect violation, for:

6-51 (i) excessive speeding, involving a single
6-52 charge of driving 15 miles per hour or more above the posted speed
6-53 limit;

6-54 (ii) reckless driving, as defined by state
6-55 or local law;

6-56 (iii) a violation of a state or local law
6-57 related to motor vehicle traffic control, including a law
6-58 regulating the operation of vehicles on highways, arising in
6-59 connection with a fatal collision [~~accident~~];

6-60 (iv) improper or erratic traffic lane
6-61 change;

6-62 (v) following the vehicle ahead too
6-63 closely; or

6-64 (vi) a violation of Sections 522.011 or
6-65 522.042; or

6-66 (B) a violation of Section 522.015.

6-67 SECTION 27. Section 522.081(b), Transportation Code, is
6-68 amended to read as follows:

6-69 (b) Except as provided by this subsection, this subsection

7-1 applies to a violation committed while operating any type of motor
7-2 vehicle, including a commercial motor vehicle. A person who holds
7-3 a commercial driver's license or commercial learner's permit is
7-4 disqualified from driving a commercial motor vehicle for one year:

7-5 (1) if convicted of three violations of a law that
7-6 regulates the operation of a motor vehicle at a railroad grade
7-7 crossing that occur within a three-year period;

7-8 (2) on first conviction of:

7-9 (A) driving a motor vehicle under the influence
7-10 of alcohol or a controlled substance, including a violation of
7-11 Section 49.04, 49.045, or 49.07, Penal Code;

7-12 (B) leaving the scene of a collision [~~an~~
7-13 ~~accident~~] involving a motor vehicle driven by the person;

7-14 (C) using a motor vehicle in the commission of a
7-15 felony, other than a felony described by Subsection (d)(2);

7-16 (D) causing the death of another person through
7-17 the negligent or criminal operation of a motor vehicle; or

7-18 (E) driving a commercial motor vehicle while the
7-19 person's commercial driver's license or commercial learner's permit
7-20 is revoked, suspended, or canceled, or while the person is
7-21 disqualified from driving a commercial motor vehicle, for an action
7-22 or conduct that occurred while operating a commercial motor
7-23 vehicle;

7-24 (3) for refusing to submit to a test under Chapter 724
7-25 to determine the person's alcohol concentration or the presence in
7-26 the person's body of a controlled substance or drug while operating
7-27 a motor vehicle in a public place; or

7-28 (4) if an analysis of the person's blood, breath, or
7-29 urine under Chapter 522, 524, or 724 determines that the person:

7-30 (A) had an alcohol concentration of 0.04 or more,
7-31 or that a controlled substance or drug was present in the person's
7-32 body, while operating a commercial motor vehicle in a public place;
7-33 or

7-34 (B) had an alcohol concentration of 0.08 or more
7-35 while operating a motor vehicle, other than a commercial motor
7-36 vehicle, in a public place.

7-37 SECTION 28. Section 523.005(a), Transportation Code, is
7-38 amended to read as follows:

7-39 (a) The licensing authority in the home state, for the
7-40 purpose of suspension, revocation, cancellation, denial,
7-41 disqualification, or limitation of the privilege to operate a motor
7-42 vehicle, shall give the same effect to the conduct reported
7-43 pursuant to Section 523.004 as it would if such conduct had occurred
7-44 in the home state in the case of conviction for:

7-45 (1) manslaughter or negligent homicide resulting from
7-46 the operation of a motor vehicle;

7-47 (2) driving a motor vehicle while under the influence
7-48 of alcoholic beverages or a narcotic to a degree which renders the
7-49 driver incapable of safely driving a motor vehicle;

7-50 (3) any felony in the commission of which a motor
7-51 vehicle is used; or

7-52 (4) failure to stop and render aid or information in
7-53 the event of a motor vehicle collision [~~accident~~] resulting in the
7-54 death or personal injury of another.

7-55 SECTION 29. Section 542.206, Transportation Code, is
7-56 amended to read as follows:

7-57 Sec. 542.206. EFFECT OF SPEED LIMITS IN A CIVIL ACTION. A
7-58 provision of this subtitle declaring a maximum or minimum speed
7-59 limit does not relieve the plaintiff in a civil action from the
7-60 burden of proving negligence of the defendant as the proximate
7-61 cause of a collision [~~an accident~~].

7-62 SECTION 30. Section 542.4045, Transportation Code, is
7-63 amended to read as follows:

7-64 Sec. 542.4045. PENALTIES FOR FAILURE TO YIELD RIGHT-OF-WAY
7-65 OFFENSE RESULTING IN COLLISION [~~ACCIDENT~~]. If it is shown on the
7-66 trial of an offense under this subtitle in which an element is the
7-67 failure by the operator of a vehicle to yield the right-of-way to
7-68 another vehicle that a collision [~~an accident~~] resulted from the
7-69 operator's failure to yield the right-of-way:

8-1 (1) the offense is punishable by a fine of not less
8-2 than \$500 or more than \$2,000, if a person other than the operator
8-3 of the vehicle suffered bodily injury, as defined by Section 1.07,
8-4 Penal Code, in the collision [~~accident~~]; and

8-5 (2) the offense is punishable by a fine of not less
8-6 than \$1,000 or more than \$4,000, if a person other than the operator
8-7 of the vehicle suffered serious bodily injury, as defined by
8-8 Section 1.07, Penal Code, in the collision [~~accident~~].

8-9 SECTION 31. Section 543.002(a), Transportation Code, is
8-10 amended to read as follows:

8-11 (a) A person arrested for a violation of this subtitle
8-12 punishable as a misdemeanor shall be immediately taken before a
8-13 magistrate if:

8-14 (1) the person is arrested on a charge of failure to
8-15 stop in the event of a collision [~~an accident~~] causing damage to
8-16 property; or

8-17 (2) the person demands an immediate appearance before
8-18 a magistrate or refuses to make a written promise to appear in court
8-19 as provided by this subchapter.

8-20 SECTION 32. Section 543.011(c), Transportation Code, is
8-21 amended to read as follows:

8-22 (c) The law enforcement agency shall:

8-23 (1) as soon as practicable contact the United States
8-24 Department of State to verify the person's status and immunity, if
8-25 any; and

8-26 (2) not later than the fifth working day after the date
8-27 of the stop or issuance of the notice to appear, send to the Bureau
8-28 of Diplomatic Security and the Office of Foreign Missions of the
8-29 United States Department of State the following:

8-30 (A) a copy of any notice to appear issued to the
8-31 person and any collision [~~accident~~] report prepared; or

8-32 (B) if a notice to appear was not issued and a
8-33 collision [~~an accident~~] report was not prepared, a written report
8-34 of the incident.

8-35 SECTION 33. Section 545.356(d), Transportation Code, is
8-36 amended to read as follows:

8-37 (d) The governing body of a municipality that declares a
8-38 lower speed limit on a highway or part of a highway under Subsection
8-39 (b-1) or (b-3), not later than February 1 of each year, shall
8-40 publish on its Internet website and submit to the department a
8-41 report that compares for each of the two previous calendar years:

8-42 (1) the number of traffic citations issued by peace
8-43 officers of the municipality and the alleged speed of the vehicles,
8-44 for speed limit violations on the highway or part of the highway;

8-45 (2) the number of warning citations issued by peace
8-46 officers of the municipality on the highway or part of the highway;
8-47 and

8-48 (3) the number of vehicular collisions [~~accidents~~]
8-49 that resulted in injury or death and were attributable to speed
8-50 limit violations on the highway or part of the highway.

8-51 SECTION 34. Section 545.3561, Transportation Code, is
8-52 amended to read as follows:

8-53 Sec. 545.3561. AUTHORITY OF MUNICIPALITY OR COUNTY TO
8-54 TEMPORARILY LOWER SPEED LIMIT AT VEHICULAR COLLISION [~~ACCIDENT~~]
8-55 RECONSTRUCTION SITE. (a) The governing body of a municipality by
8-56 ordinance may give a designated official with transportation
8-57 engineering experience establishing speed limits discretion to
8-58 temporarily lower a prima facie speed limit for a highway or part of
8-59 a highway in the municipality, including a highway of the state
8-60 highway system, at the site of an investigation using vehicular
8-61 collision [~~accident~~] reconstruction.

8-62 (b) A county commissioners court by order may give a
8-63 designated official with transportation engineering experience
8-64 establishing speed limits discretion to temporarily lower prima
8-65 facie speed limits for a county road or highway outside the
8-66 boundaries of a municipality at the site of an investigation using
8-67 vehicular collision [~~accident~~] reconstruction. The authority
8-68 granted under this subsection does not include a road or highway in
8-69 the state highway system.

9-1 (c) The Texas Department of Transportation shall develop
 9-2 safety guidelines for the use of vehicular collision [~~accident~~]
 9-3 reconstruction in investigations. A municipality, county, or
 9-4 designated official shall comply with the guidelines.

9-5 (d) A designated official may temporarily lower prima facie
 9-6 speed limits without the approval of or permission from the Texas
 9-7 Department of Transportation. A designated official who intends
 9-8 to temporarily lower a prima facie speed limit at the site of an
 9-9 investigation using vehicular collision [~~accident~~] reconstruction
 9-10 shall, at least 48 hours before temporary speed limit signs are
 9-11 posted for the vehicular collision [~~accident~~] reconstruction site,
 9-12 provide to the Texas Department of Transportation notice that
 9-13 includes:

- 9-14 (1) the date and time of the collision [~~accident~~]
 9-15 reconstruction;
- 9-16 (2) the location of the collision [~~accident~~]
 9-17 reconstruction site;
- 9-18 (3) the entities involved at the site;
- 9-19 (4) the general size of the area affected by the site;
- 9-20 and
- 9-21 (5) an estimate of how long the site will be used for
 9-22 the collision [~~accident~~] reconstruction.

9-23 (e) A temporary speed limit established under this section:

- 9-24 (1) is a prima facie prudent and reasonable speed
 9-25 limit enforceable in the same manner as other prima facie speed
 9-26 limits established under other provisions of this subchapter; and
- 9-27 (2) supersedes any other established speed limit that
 9-28 would permit a person to operate a motor vehicle at a higher rate of
 9-29 speed.

9-30 (f) A designated official who temporarily lowers a speed
 9-31 limit shall:

- 9-32 (1) place and maintain at the vehicular collision
 9-33 [~~accident~~] reconstruction site temporary speed limit signs that
 9-34 conform to the manual and specifications adopted under Section
 9-35 544.001;
- 9-36 (2) temporarily conceal all other signs on the highway
 9-37 segment affected by the vehicular collision [~~accident~~]
 9-38 reconstruction site that give notice of a speed limit that would
 9-39 permit a person to operate a motor vehicle at a higher rate of
 9-40 speed; and
- 9-41 (3) remove all temporary speed limit signs placed
 9-42 under Subdivision (1) and concealments of other signs placed under
 9-43 Subdivision (2) when the official finds that the vehicular
 9-44 collision [~~accident~~] reconstruction is complete and all equipment
 9-45 is removed from the vehicular collision [~~accident~~] reconstruction
 9-46 site.

9-47 (g) A temporary speed limit established under this section
 9-48 is effective when a designated official places temporary speed
 9-49 limit signs and conceals other signs that would permit a person to
 9-50 operate a motor vehicle at a higher rate of speed as required under
 9-51 Subsection (f).

9-52 (h) A temporary speed limit established under this section
 9-53 is effective until the designated official under Subsection (a) or
 9-54 (b):

- 9-55 (1) finds that the vehicular collision [~~accident~~]
 9-56 reconstruction is complete; and
- 9-57 (2) removes all temporary signs, concealments, and
 9-58 equipment used at the vehicular collision [~~accident~~]
 9-59 reconstruction site.

9-60 (i) If a designated official does not comply with the
 9-61 requirements of Subsection (f)(3) for a vehicular collision
 9-62 [~~accident~~] reconstruction on a state highway associated with the
 9-63 reconstruction, the Texas Department of Transportation may remove
 9-64 signs and concealments.

9-65 SECTION 35. Section 545.4121(b), Transportation Code, is
 9-66 amended to read as follows:

9-67 (b) It is a defense to prosecution of an offense to which
 9-68 this section applies that the defendant provides to the court
 9-69 evidence satisfactory to the court that:

10-1 (1) at the time of the offense:
 10-2 (A) the defendant was not arrested or issued a
 10-3 citation for violation of any other offense;
 10-4 (B) the defendant did not possess a child
 10-5 passenger safety seat system in the vehicle; and
 10-6 (C) the vehicle the defendant was operating was
 10-7 not involved in a collision [~~an accident~~]; and

10-8 (2) subsequent to the time of the offense,
 10-9 the defendant obtained an appropriate child passenger safety seat
 10-10 system for each child required to be secured in a child passenger
 10-11 safety seat system under Section 545.412(a).

10-12 SECTION 36. Section 545.420(i), Transportation Code, is
 10-13 amended to read as follows:

10-14 (i) This subsection applies only to a motor vehicle used in
 10-15 the commission of an offense under this section that results in a
 10-16 collision [~~an accident~~] with property damage or personal injury. A
 10-17 peace officer shall require the vehicle to be taken to the nearest
 10-18 licensed vehicle storage facility unless the vehicle is seized as
 10-19 evidence, in which case the vehicle may be taken to a storage
 10-20 facility as designated by the peace officer
 10-21 involved. Notwithstanding Article 18.23, Code of Criminal
 10-22 Procedure, the owner of a motor vehicle that is removed or stored
 10-23 under this subsection is liable for all removal and storage fees
 10-24 incurred and is not entitled to take possession of the vehicle until
 10-25 those fees are paid.

10-26 SECTION 37. The heading to Section 545.428, Transportation
 10-27 Code, is amended to read as follows:

10-28 Sec. 545.428. MOTOR VEHICLE COLLISION [~~ACCIDENT~~] INVOLVING
 10-29 PEDESTRIAN OR OTHER VULNERABLE ROAD USER WITHIN AREA OF CROSSWALK;
 10-30 OFFENSE.

10-31 SECTION 38. Section 545.455, Transportation Code, is
 10-32 amended to read as follows:

10-33 Sec. 545.455. DUTIES FOLLOWING COLLISION [~~ACCIDENT~~]
 10-34 INVOLVING AUTOMATED MOTOR VEHICLE. In the event of a collision [~~an~~
 10-35 ~~accident~~] involving an automated motor vehicle, the automated motor
 10-36 vehicle or any human operator of the automated motor vehicle shall
 10-37 comply with Chapter 550.

10-38 SECTION 39. Section 547.305(d), Transportation Code, is
 10-39 amended to read as follows:

10-40 (d) A vehicle may be equipped with alternately flashing
 10-41 lighting equipment described by Section 547.701 or 547.702 only if
 10-42 the vehicle is:

- 10-43 (1) a school bus;
- 10-44 (2) an authorized emergency vehicle;
- 10-45 (3) a church bus that has the words "church bus"
 10-46 printed on the front and rear of the bus so as to be clearly
 10-47 discernable to other vehicle operators;
- 10-48 (4) a tow truck while under the direction of a law
 10-49 enforcement officer at the scene of a collision [~~an accident~~] or
 10-50 while hooking up to a disabled vehicle on a roadway; or
- 10-51 (5) a tow truck with a mounted light bar which has turn
 10-52 signals and stop lamps in addition to those required by Sections
 10-53 547.322, 547.323, and 547.324, Transportation Code.

10-54 SECTION 40. Section 547.615(a)(2), Transportation Code, is
 10-55 amended to read as follows:

10-56 (2) "Recording device" means a feature that is
 10-57 installed by the manufacturer in a motor vehicle and that does any
 10-58 of the following for the purpose of retrieving information from the
 10-59 vehicle after a collision [~~an accident~~] in which the vehicle has
 10-60 been involved:

- 10-61 (A) records the speed and direction the vehicle
 10-62 is traveling;
- 10-63 (B) records vehicle location data;
- 10-64 (C) records steering performance;
- 10-65 (D) records brake performance, including
 10-66 information on whether brakes were applied before a collision [~~an~~
 10-67 ~~accident~~];
- 10-68 (E) records the driver's safety belt status; or
- 10-69 (F) transmits information concerning the

11-1 collision [~~accident~~] to a central communications system when the
11-2 collision [~~accident~~] occurs.

11-3 SECTION 41. Section 547.615(c), Transportation Code, is
11-4 amended to read as follows:

11-5 (c) Information recorded or transmitted by a recording
11-6 device may not be retrieved by a person other than the owner of the
11-7 motor vehicle in which the recording device is installed except:

11-8 (1) on court order;

11-9 (2) with the consent of the owner for any purpose,
11-10 including for the purpose of diagnosing, servicing, or repairing
11-11 the motor vehicle;

11-12 (3) for the purpose of improving motor vehicle safety,
11-13 including for medical research on the human body's reaction to
11-14 motor vehicle collisions [~~accidents~~], if the identity of the owner
11-15 or driver of the vehicle is not disclosed in connection with the
11-16 retrieved information; or

11-17 (4) for the purpose of determining the need for or
11-18 facilitating emergency medical response in the event of a motor
11-19 vehicle collision [~~accident~~].

11-20 SECTION 42. Section 548.053(b), Transportation Code, is
11-21 amended to read as follows:

11-22 (b) A vehicle that is inspected and is subsequently involved
11-23 in a collision or other incident [~~an accident~~] affecting the safe
11-24 operation of an item of inspection must be reinspected following
11-25 repair. The reinspection must be at an inspection station and shall
11-26 be treated and charged as an initial inspection.

11-27 SECTION 43. The heading to Chapter 550, Transportation
11-28 Code, is amended to read as follows:

11-29 CHAPTER 550. COLLISIONS [~~ACCIDENTS~~] AND COLLISION [~~ACCIDENT~~]
11-30 REPORTS

11-31 SECTION 44. The heading to Subchapter B, Chapter 550,
11-32 Transportation Code, is amended to read as follows:

11-33 SUBCHAPTER B. DUTIES FOLLOWING COLLISION [~~ACCIDENT~~]

11-34 SECTION 45. Section 550.021, Transportation Code, is
11-35 amended to read as follows:

11-36 Sec. 550.021. COLLISION [~~ACCIDENT~~] INVOLVING PERSONAL
11-37 INJURY OR DEATH. (a) The operator of a vehicle involved in a
11-38 collision [~~an accident~~] that results or is reasonably likely to
11-39 result in injury to or death of a person shall:

11-40 (1) immediately stop the vehicle at the scene of the
11-41 collision [~~accident~~] or as close to the scene as possible;

11-42 (2) immediately return to the scene of the collision
11-43 [~~accident~~] if the vehicle is not stopped at the scene of the
11-44 collision [~~accident~~];

11-45 (3) immediately determine whether a person is involved
11-46 in the collision [~~accident~~], and if a person is involved in the
11-47 collision [~~accident~~], whether that person requires aid; and

11-48 (4) remain at the scene of the collision [~~accident~~]
11-49 until the operator complies with the requirements of Section
11-50 550.023.

11-51 (b) An operator of a vehicle required to stop the vehicle by
11-52 Subsection (a) shall do so without obstructing traffic more than is
11-53 necessary.

11-54 (c) A person commits an offense if the person does not stop
11-55 or does not comply with the requirements of this section. An
11-56 offense under this section:

11-57 (1) involving a collision [~~an accident~~] resulting in:

11-58 (A) death of a person is a felony of the second
11-59 degree; or

11-60 (B) serious bodily injury, as defined by Section
11-61 1.07, Penal Code, to a person is a felony of the third degree; and

11-62 (2) involving a collision [~~an accident~~] resulting in
11-63 injury to which Subdivision (1) does not apply is punishable by:

11-64 (A) imprisonment in the Texas Department of
11-65 Criminal Justice for not more than five years or confinement in the
11-66 county jail for not more than one year;

11-67 (B) a fine not to exceed \$5,000; or

11-68 (C) both the fine and the imprisonment or
11-69 confinement.

12-1 SECTION 46. The heading to Section 550.022, Transportation
12-2 Code, is amended to read as follows:
12-3 Sec. 550.022. COLLISION [~~ACCIDENT~~] INVOLVING DAMAGE TO
12-4 VEHICLE.

12-5 SECTION 47. Sections 550.022(a) and (b), Transportation
12-6 Code, are amended to read as follows:

12-7 (a) Except as provided by Subsection (b), the operator of a
12-8 vehicle involved in a collision [~~an accident~~] resulting only in
12-9 damage to a vehicle that is driven or attended by a person shall:

12-10 (1) immediately stop the vehicle at the scene of the
12-11 collision [~~accident~~] or as close as possible to the scene of the
12-12 collision [~~accident~~] without obstructing traffic more than is
12-13 necessary;

12-14 (2) immediately return to the scene of the collision
12-15 [~~accident~~] if the vehicle is not stopped at the scene of the
12-16 collision [~~accident~~]; and

12-17 (3) remain at the scene of the collision [~~accident~~]
12-18 until the operator complies with the requirements of Section
12-19 550.023.

12-20 (b) If a collision [~~an accident~~] occurs on a main lane,
12-21 ramp, shoulder, median, or adjacent area of a freeway in a
12-22 metropolitan area and each vehicle involved can be normally and
12-23 safely driven, each operator shall move the operator's vehicle as
12-24 soon as possible to a designated collision [~~accident~~] investigation
12-25 site, if available, a location on the frontage road, the nearest
12-26 suitable cross street, or other suitable location to complete the
12-27 requirements of Section 550.023 and minimize interference with
12-28 freeway traffic.

12-29 SECTION 48. Section 550.023, Transportation Code, is
12-30 amended to read as follows:

12-31 Sec. 550.023. DUTY TO GIVE INFORMATION AND RENDER AID. The
12-32 operator of a vehicle involved in a collision [~~an accident~~]
12-33 resulting in the injury or death of a person or damage to a vehicle
12-34 that is driven or attended by a person shall:

12-35 (1) give the operator's name and address, the
12-36 registration number of the vehicle the operator was driving, and
12-37 the name of the operator's motor vehicle liability insurer to any
12-38 person injured or the operator or occupant of or person attending a
12-39 vehicle involved in the collision;

12-40 (2) if requested and available, show the operator's
12-41 driver's license to a person described by Subdivision (1); and

12-42 (3) provide any person injured in the collision
12-43 [~~accident~~] reasonable assistance, including transporting or making
12-44 arrangements for transporting the person to a physician or hospital
12-45 for medical treatment if it is apparent that treatment is
12-46 necessary, or if the injured person requests the transportation.

12-47 SECTION 49. Section 550.025(a), Transportation Code, is
12-48 amended to read as follows:

12-49 (a) The operator of a vehicle involved in a collision [~~an~~
12-50 ~~accident~~] resulting only in damage to a structure adjacent to a
12-51 highway or a fixture or landscaping legally on or adjacent to a
12-52 highway shall:

12-53 (1) take reasonable steps to locate and notify the
12-54 owner or person in charge of the property of the collision
12-55 [~~accident~~] and of the operator's name and address and the
12-56 registration number of the vehicle the operator was driving; and

12-57 (2) if requested and available, show the operator's
12-58 driver's license to the owner or person in charge of the property.

12-59 SECTION 50. Section 550.026, Transportation Code, is
12-60 amended to read as follows:

12-61 Sec. 550.026. IMMEDIATE REPORT OF COLLISION [~~ACCIDENT~~].

12-62 (a) The operator of a vehicle involved in a collision [~~an accident~~]
12-63 resulting in injury to or death of a person or damage to a vehicle to
12-64 the extent that it cannot be normally and safely driven shall
12-65 immediately by the quickest means of communication give notice of
12-66 the collision [~~accident~~] to the:

12-67 (1) local police department if the collision
12-68 [~~accident~~] occurred in a municipality;

12-69 (2) local police department or the sheriff's office if

13-1 the collision [~~accident~~] occurred not more than 100 feet outside
 13-2 the limits of a municipality; or

13-3 (3) sheriff's office or the nearest office of the
 13-4 department if the collision [~~accident~~] is not required to be
 13-5 reported under Subdivision (1) or (2).

13-6 (b) If a section of road is within 100 feet of the limits of
 13-7 more than one municipality, the municipalities may agree regarding
 13-8 the maintenance of reports made under Subsection (a)(2). A county
 13-9 may agree with municipalities in the county regarding the
 13-10 maintenance of reports made under Subsection (a)(2). An agreement
 13-11 under this subsection does not affect the duty to report a collision
 13-12 [~~an accident~~] under Subsection (a).

13-13 SECTION 51. The heading to Subchapter C, Chapter 550,
 13-14 Transportation Code, is amended to read as follows:

13-15 SUBCHAPTER C. INVESTIGATION OF COLLISION [~~ACCIDENT~~]

13-16 SECTION 52. Section 550.041(a), Transportation Code, is
 13-17 amended to read as follows:

13-18 (a) A peace officer who is notified of a motor vehicle
 13-19 collision [~~accident~~] resulting in injury to or death of a person or
 13-20 property damage to an apparent extent of at least \$1,000 may
 13-21 investigate the collision [~~accident~~] and file justifiable charges
 13-22 relating to the collision [~~accident~~] without regard to whether the
 13-23 collision [~~accident~~] occurred on property to which this chapter
 13-24 applies.

13-25 SECTION 53. The heading to Subchapter D, Chapter 550,
 13-26 Transportation Code, is amended to read as follows:

13-27 SUBCHAPTER D. WRITTEN COLLISION [~~ACCIDENT~~] REPORT

13-28 SECTION 54. Section 550.062, Transportation Code, is
 13-29 amended to read as follows:

13-30 Sec. 550.062. OFFICER'S COLLISION [~~ACCIDENT~~] REPORT. (a)
 13-31 A law enforcement officer who in the regular course of duty
 13-32 investigates a motor vehicle collision [~~accident~~] shall make a
 13-33 written report of the collision [~~accident~~] if the collision
 13-34 [~~accident~~] resulted in injury to or the death of a person or damage
 13-35 to the property of any one person to the apparent extent of \$1,000
 13-36 or more.

13-37 (b) The report required by Subsection (a) must be filed
 13-38 electronically with the department not later than the 10th day
 13-39 after the date of the collision [~~accident~~].

13-40 (b-1) If the motor vehicle collision [~~accident~~] involved a
 13-41 combination of vehicles operating under a permit issued under
 13-42 Section 623.402, the report required by Subsection (a) must include
 13-43 the weight and the number of axles of the vehicle combination.

13-44 (c) This section applies without regard to whether the
 13-45 officer investigates the collision [~~accident~~] at the location of
 13-46 the collision [~~accident~~] and immediately after the collision
 13-47 [~~accident~~] or afterwards by interviewing those involved in the
 13-48 collision [~~accident~~] or witnesses to the collision [~~accident~~].

13-49 SECTION 55. Section 550.063, Transportation Code, is
 13-50 amended to read as follows:

13-51 Sec. 550.063. REPORT ON APPROPRIATE FORM. The form of all
 13-52 written collision [~~accident~~] reports must be approved by the
 13-53 department and the Department of Public Safety. A person who is
 13-54 required to file a written collision [~~accident~~] report shall report
 13-55 on the appropriate form and shall disclose all information required
 13-56 by the form unless the information is not available.

13-57 SECTION 56. Section 550.064, Transportation Code, is
 13-58 amended to read as follows:

13-59 Sec. 550.064. COLLISION [~~ACCIDENT~~] REPORT FORMS. (a) The
 13-60 department shall prepare and when requested supply to police
 13-61 departments, coroners, sheriffs, garages, and other suitable
 13-62 agencies or individuals the collision [~~accident~~] report forms
 13-63 appropriate for the persons required to make a report and
 13-64 appropriate for the purposes to be served by those reports.

13-65 (b) A collision [~~An accident~~] report form prepared by the
 13-66 department must:

13-67 (1) require sufficiently detailed information to
 13-68 disclose the cause and conditions of and the persons and vehicles
 13-69 involved in a collision [~~an accident~~] if the form is for the report

14-1 to be made by a person investigating the collision [~~accident~~];
 14-2 (2) include a way to designate and identify a peace
 14-3 officer, firefighter, or emergency medical services employee who is
 14-4 involved in a collision [~~an accident~~] while driving a law
 14-5 enforcement vehicle, fire department vehicle, or emergency medical
 14-6 services vehicle while performing the person's duties;
 14-7 (3) require a statement by a person described by
 14-8 Subdivision (2) as to the nature of the collision [~~accident~~]; and
 14-9 (4) include a way to designate whether an individual
 14-10 involved in a collision [~~an accident~~] wants to be contacted by a
 14-11 person seeking to obtain employment as a professional described by
 14-12 Section 38.01(12), Penal Code.

14-13 SECTION 57. Section 550.065, Transportation Code, is
 14-14 amended to read as follows:

14-15 Sec. 550.065. RELEASE OF CERTAIN INFORMATION RELATING TO
 14-16 COLLISIONS [~~ACCIDENTS~~]. (a) This section applies only to the
 14-17 following information that is held by the department or another
 14-18 governmental entity:

14-19 (1) a written report of a collision [~~an accident~~]
 14-20 required under:

- 14-21 (A) Section 550.062; or
- 14-22 (B) former Section 550.061 or 601.004 before
 14-23 September 1, 2017; or

14-24 (2) collision [~~accident~~] report information compiled
 14-25 under Section 201.806.

14-26 (b) Except as provided by Subsection (c), (c-1), or (e), the
 14-27 information is privileged and for the confidential use of:

- 14-28 (1) the department; and
- 14-29 (2) an agency of the United States, this state, or a
 14-30 local government of this state that has use for the information for
 14-31 collision [~~accident~~] prevention purposes.

14-32 (c) On written request and payment of any required fee, the
 14-33 department or the governmental entity shall release the information
 14-34 to:

- 14-35 (1) an entity described by Subsection (b);
- 14-36 (2) the law enforcement agency that employs the peace
 14-37 officer who investigated the collision [~~accident~~] and sent the
 14-38 information to the department, including an agent of the law
 14-39 enforcement agency authorized by contract to obtain the
 14-40 information;

14-41 (3) the court in which a case involving a person
 14-42 involved in the collision [~~accident~~] is pending if the report is
 14-43 subpoenaed; or

14-44 (4) any person directly concerned in the collision
 14-45 [~~accident~~] or having a proper interest therein, including:

14-46 (A) any person involved in the collision
 14-47 [~~accident~~];

14-48 (B) the authorized representative of any person
 14-49 involved in the collision [~~accident~~];

14-50 (C) a driver involved in the collision
 14-51 [~~accident~~];

14-52 (D) an employer, parent, or legal guardian of a
 14-53 driver involved in the collision [~~accident~~];

14-54 (E) the owner of a vehicle or property damaged in
 14-55 the collision [~~accident~~];

14-56 (F) a person who has established financial
 14-57 responsibility for a vehicle involved in the collision [~~accident~~]
 14-58 in a manner described by Section 601.051, including a policyholder
 14-59 of a motor vehicle liability insurance policy covering the vehicle;

14-60 (G) an insurance company that issued an insurance
 14-61 policy covering a vehicle involved in the collision [~~accident~~];

14-62 (H) an insurance company that issued a policy
 14-63 covering any person involved in the collision [~~accident~~];

14-64 (I) a person under contract to provide claims or
 14-65 underwriting information to a person described by Paragraph (F),
 14-66 (G), or (H);

14-67 (J) a radio or television station that holds a
 14-68 license issued by the Federal Communications Commission;

14-69 (K) a newspaper that is:

15-1 (i) a free newspaper of general circulation
15-2 or qualified under Section 2051.044, Government Code, to publish
15-3 legal notices;

15-4 (ii) published at least once a week; and
15-5 (iii) available and of interest to the
15-6 general public in connection with the dissemination of news; or

15-7 (L) any person who may sue because of death
15-8 resulting from the collision [~~accident~~].

15-9 (c-1) On receiving information to which this section
15-10 applies, the department or the governmental entity that receives
15-11 the information shall create a redacted collision [~~accident~~] report
15-12 that may be requested by any person. The redacted collision
15-13 [~~accident~~] report may not include the items of information
15-14 described by Subsection (f)(2). A report released under this
15-15 subsection is not considered personal information under Section
15-16 730.003.

15-17 (d) The fee for a copy of the collision [~~accident~~] report is
15-18 \$6. The copy may be certified by the department or the
15-19 governmental entity for an additional fee of \$2. The department or
15-20 the governmental entity may issue a certification that no report or
15-21 information is on file for a fee of \$6.

15-22 (e) In addition to the information required to be released
15-23 under Subsection (c), the department may release:

15-24 (1) collision [~~accident~~] report information compiled
15-25 under Section 201.806; or

15-26 (2) a vehicle identification number and specific
15-27 collision [~~accident~~] information relating to that vehicle.

15-28 (f) The department when releasing information under
15-29 Subsection (c-1) or (e):

15-30 (1) may not release personal information, as defined
15-31 by Section 730.003; and

15-32 (2) shall withhold or redact the following items:

15-33 (A) the first, middle, and last name of any
15-34 person listed in a collision [~~an accident~~] report, including a
15-35 vehicle driver, occupant, owner, or lessee, a bicyclist, a
15-36 pedestrian, or a property owner;

15-37 (B) the number of any driver's license,
15-38 commercial driver's license, or personal identification
15-39 certificate issued to any person listed in a collision [~~an~~
15-40 ~~accident~~] report;

15-41 (C) the date of birth, other than the year, of any
15-42 person listed in a collision [~~an accident~~] report;

15-43 (D) the address, other than zip code, and
15-44 telephone number of any person listed in a collision [~~an accident~~]
15-45 report;

15-46 (E) the license plate number of any vehicle
15-47 listed in a collision [~~an accident~~] report;

15-48 (F) the name of any insurance company listed as a
15-49 provider of financial responsibility for a vehicle listed in a
15-50 collision [~~an accident~~] report;

15-51 (G) the number of any insurance policy issued by
15-52 an insurance company listed as a provider of financial
15-53 responsibility;

15-54 (H) the date the peace officer who investigated
15-55 the collision [~~accident~~] was notified of the collision [~~accident~~];

15-56 (I) the date the investigating peace officer
15-57 arrived at the collision [~~accident~~] site;

15-58 (J) the badge number or identification number of
15-59 the investigating officer;

15-60 (K) the date on which any person who died as a
15-61 result of the collision [~~accident~~] died;

15-62 (L) the date of any commercial motor vehicle
15-63 report; and

15-64 (M) the place where any person injured or killed
15-65 in a collision [~~an accident~~] was taken and the person or entity that
15-66 provided the transportation.

15-67 (g) The amount that may be charged for information provided
15-68 under Subsection (e) shall be calculated in the manner specified by
15-69 Chapter 552, Government Code, for public information provided by a

16-1 governmental body under that chapter.

16-2 SECTION 58. Section 550.066, Transportation Code, is
16-3 amended to read as follows:

16-4 Sec. 550.066. ADMISSIBILITY OF CERTAIN COLLISION
16-5 ~~[ACCIDENT]~~ REPORT INFORMATION. An individual's response to the
16-6 information requested on a collision ~~[an accident]~~ report form as
16-7 provided by Section 550.064(b)(4) is not admissible evidence in a
16-8 civil trial.

16-9 SECTION 59. Section 550.067, Transportation Code, is
16-10 amended to read as follows:

16-11 Sec. 550.067. MUNICIPAL AUTHORITY TO REQUIRE COLLISION
16-12 ~~[ACCIDENT]~~ REPORTS. (a) A municipality by ordinance may require
16-13 the operator of a vehicle involved in a collision ~~[an accident]~~ to
16-14 file with a designated municipal department:

16-15 (1) a report of the collision ~~[accident]~~, if the
16-16 collision ~~[accident]~~ results in injury to or the death of a person
16-17 or the apparent total property damage is \$25 or more; or

16-18 (2) a copy of a report required by this chapter to be
16-19 filed with the department.

16-20 (b) A report filed under Subsection (a) is for the
16-21 confidential use of the municipal department and subject to the
16-22 provisions of Section 550.065.

16-23 (c) A municipality by ordinance may require the person in
16-24 charge of a garage or repair shop where a motor vehicle is brought
16-25 if the vehicle shows evidence of having been involved in a collision
16-26 ~~[an accident]~~ described by Section 550.062(a) or shows evidence of
16-27 having been struck by a bullet to report to a department of the
16-28 municipality within 24 hours after the garage or repair shop
16-29 receives the motor vehicle, giving the engine number, registration
16-30 number, and the name and address of the owner or operator of the
16-31 vehicle.

16-32 SECTION 60. Section 550.068, Transportation Code, is
16-33 amended to read as follows:

16-34 Sec. 550.068. CHANGING COLLISION ~~[ACCIDENT]~~ REPORT.
16-35 (a) Except as provided by Subsection (b), a change in or a
16-36 modification of a written report of a motor vehicle collision
16-37 ~~[accident]~~ prepared by a peace officer that alters a material fact
16-38 in the report may be made only by the peace officer who prepared the
16-39 report.

16-40 (b) A change in or a modification of the written report of
16-41 the collision ~~[accident]~~ may be made by a person other than the
16-42 peace officer if:

16-43 (1) the change is made by a written supplement to the
16-44 report; and

16-45 (2) the written supplement clearly indicates the name
16-46 of the person who originated the change.

16-47 SECTION 61. Sections 550.081(b) and (c), Transportation
16-48 Code, are amended to read as follows:

16-49 (b) A medical examiner or justice of the peace acting as
16-50 coroner in a county that does not have a medical examiner's office
16-51 or that is not part of a medical examiner's district shall submit a
16-52 report in writing to the department of the death of a person that
16-53 was the result of a traffic collision ~~[accident]~~ or bridge
16-54 collapse:

16-55 (1) to which this chapter applies; and

16-56 (2) that occurred within the jurisdiction of the
16-57 medical examiner or justice of the peace in the preceding calendar
16-58 quarter.

16-59 (c) The report must be submitted before the 11th day of each
16-60 calendar month and include:

16-61 (1) the name of the deceased and a statement as to
16-62 whether the deceased was:

16-63 (A) the operator of or a passenger in a vehicle
16-64 ~~[involved in the accident]~~; or

16-65 (B) a pedestrian or other nonoccupant of a
16-66 vehicle;

16-67 (2) the date of the collision ~~[accident]~~ and the name
16-68 of the county in which the collision ~~[accident]~~ occurred, and, if a
16-69 bridge collapse, the location of the bridge in that county;

17-1 (3) the name of any laboratory, medical examiner's
17-2 office, or other facility that conducted toxicological testing
17-3 relative to the deceased; and

17-4 (4) the results of any toxicological testing that was
17-5 conducted.

17-6 SECTION 62. Section 601.002(3), Transportation Code, is
17-7 amended to read as follows:

17-8 (3) "Financial responsibility" means the ability to
17-9 respond in damages for liability for a collision [~~an accident~~]
17-10 that:

17-11 (A) occurs after the effective date of the
17-12 document evidencing the establishment of the financial
17-13 responsibility; and

17-14 (B) arises out of the ownership, maintenance, or
17-15 use of a motor vehicle.

17-16 SECTION 63. Section 601.003(b), Transportation Code, is
17-17 amended to read as follows:

17-18 (b) For purposes of this chapter, a judgment is considered
17-19 to be satisfied as to the appropriate part of the judgment set out
17-20 by this subsection if:

17-21 (1) the total amount credited on one or more judgments
17-22 for bodily injury to or death of one person resulting from one
17-23 collision [~~accident~~] equals or exceeds the amount required under
17-24 Section 601.072(a-1)(1) [~~601.072(a)(1)~~] to establish financial
17-25 responsibility;

17-26 (2) the total amount credited on one or more judgments
17-27 for bodily injury to or death of two or more persons resulting from
17-28 one collision [~~accident~~] equals or exceeds the amount required
17-29 under Section 601.072(a-1)(2) [~~601.072(a)(2)~~] to establish
17-30 financial responsibility; or

17-31 (3) the total amount credited on one or more judgments
17-32 for damage to or destruction of property of another resulting from
17-33 one collision [~~accident~~] equals or exceeds the amount required
17-34 under Section 601.072(a-1)(3) [~~601.072(a)(3)~~] to establish
17-35 financial responsibility.

17-36 SECTION 64. Section 601.006, Transportation Code, is
17-37 amended to read as follows:

17-38 Sec. 601.006. APPLICABILITY TO CERTAIN OWNERS AND
17-39 OPERATORS. If an owner or operator of a motor vehicle involved in a
17-40 collision [~~an accident~~] in this state does not have a driver's
17-41 license or vehicle registration or is a nonresident, the person may
17-42 not be issued a driver's license or registration until the person
17-43 has complied with this chapter to the same extent that would be
17-44 necessary if, at the time of the collision [~~accident~~], the person
17-45 had a driver's license or registration.

17-46 SECTION 65. Sections 601.009(b) and (c), Transportation
17-47 Code, are amended to read as follows:

17-48 (b) Except as provided by Subsection (c), the department
17-49 shall suspend the resident's driver's license and vehicle
17-50 registrations if the evidence shows that the resident's operating
17-51 privilege was suspended in the other state or the province for
17-52 violation of a financial responsibility law under circumstances
17-53 that would require the department to suspend a nonresident's
17-54 operating privilege had the collision [~~accident~~] occurred in this
17-55 state.

17-56 (c) The department may not suspend the resident's driver's
17-57 license and registration if the alleged failure to comply is based
17-58 on the failure of the resident's insurance company or surety
17-59 company to:

17-60 (1) obtain authorization to write motor vehicle
17-61 liability insurance in the other state or the province; or

17-62 (2) execute a power of attorney directing the
17-63 appropriate official in the other state or the province to accept on
17-64 the company's behalf service of notice or process in an action under
17-65 the policy arising out of a collision [~~an accident~~].

17-66 SECTION 66. Section 601.053(a), Transportation Code, is
17-67 amended to read as follows:

17-68 (a) As a condition of operating in this state a motor
17-69 vehicle to which Section 601.051 applies, the operator of the

18-1 vehicle on request shall provide to a peace officer, as defined by
 18-2 Article 2.12, Code of Criminal Procedure, or a person involved in a
 18-3 collision [~~an accident~~] with the operator evidence of financial
 18-4 responsibility by exhibiting:

18-5 (1) a motor vehicle liability insurance policy
 18-6 covering the vehicle that satisfies Subchapter D or a photocopy of
 18-7 the policy;

18-8 (2) a standard proof of motor vehicle liability
 18-9 insurance form prescribed by the Texas Department of Insurance
 18-10 under Section 601.081 and issued by a liability insurer for the
 18-11 motor vehicle;

18-12 (2-a) an image displayed on a wireless communication
 18-13 device that includes the information required by Section 601.081 as
 18-14 provided by a liability insurer;

18-15 (3) an insurance binder that confirms the operator is
 18-16 in compliance with this chapter;

18-17 (4) a surety bond certificate issued under Section
 18-18 601.121;

18-19 (5) a certificate of a deposit with the comptroller
 18-20 covering the vehicle issued under Section 601.122;

18-21 (6) a copy of a certificate of a deposit with the
 18-22 appropriate county judge covering the vehicle issued under Section
 18-23 601.123; or

18-24 (7) a certificate of self-insurance covering the
 18-25 vehicle issued under Section 601.124 or a photocopy of the
 18-26 certificate.

18-27 SECTION 67. Section 601.056(e), Transportation Code, is
 18-28 amended to read as follows:

18-29 (e) The department may not act under Subsection (a)(1) or
 18-30 (2) if:

18-31 (1) an action for damages on a liability covered by the
 18-32 evidence of financial responsibility is pending;

18-33 (2) a judgment for damages on a liability covered by
 18-34 the evidence of financial responsibility is not satisfied; or

18-35 (3) the person for whom the bond has been filed or for
 18-36 whom money or securities have been deposited has, within the two
 18-37 years preceding the request for cancellation or return of the
 18-38 evidence of financial responsibility, been involved as an operator
 18-39 or owner in a motor vehicle collision [~~accident~~] resulting in
 18-40 bodily injury to, or property damage to the property of, another
 18-41 person.

18-42 SECTION 68. Sections 601.072(a-1) and (b), Transportation
 18-43 Code, are amended to read as follows:

18-44 (a-1) Effective January 1, 2011, the minimum amounts of
 18-45 motor vehicle liability insurance coverage required to establish
 18-46 financial responsibility under this chapter are:

18-47 (1) \$30,000 for bodily injury to or death of one person
 18-48 in one collision [~~accident~~];

18-49 (2) \$60,000 for bodily injury to or death of two or
 18-50 more persons in one collision [~~accident~~], subject to the amount
 18-51 provided by Subdivision (1) for bodily injury to or death of one of
 18-52 the persons; and

18-53 (3) \$25,000 for damage to or destruction of property
 18-54 of others in one collision [~~accident~~].

18-55 (b) The coverage required under this section may exclude,
 18-56 with respect to one collision [~~accident~~]:

18-57 (1) the first \$250 of liability for bodily injury to or
 18-58 death of one person;

18-59 (2) the first \$500 of liability for bodily injury to or
 18-60 death of two or more persons, subject to the amount provided by
 18-61 Subdivision (1) for bodily injury to or death of one of the persons;
 18-62 and

18-63 (3) the first \$250 of liability for property damage to
 18-64 or destruction of property of others.

18-65 SECTION 69. Section 601.084(c), Transportation Code, is
 18-66 amended to read as follows:

18-67 (c) The department shall accept the certificate of an
 18-68 insurer not authorized to transact business in this state if the
 18-69 certificate otherwise complies with this chapter and the insurance

19-1 company:

19-2 (1) executes a power of attorney authorizing the
19-3 department to accept on its behalf service of notice or process in
19-4 an action arising out of a motor vehicle collision [~~accident~~] in
19-5 this state; and

19-6 (2) agrees in writing that its policies will be
19-7 treated as conforming to the laws of this state relating to the
19-8 terms of a motor vehicle liability insurance policy.

19-9 SECTION 70. Section 601.086, Transportation Code, is
19-10 amended to read as follows:

19-11 Sec. 601.086. RESPONSE OF INSURANCE COMPANY IF POLICY NOT
19-12 IN EFFECT. An insurance company that is notified by the department
19-13 of a collision [~~an accident~~] in connection with which an owner or
19-14 operator has reported a motor vehicle liability insurance policy
19-15 with the company shall advise the department if a policy is not in
19-16 effect as reported.

19-17 SECTION 71. Section 601.124(c), Transportation Code, is
19-18 amended to read as follows:

19-19 (c) The self-insurer must supplement the certificate with
19-20 an agreement that, for collisions [~~accidents~~] occurring while the
19-21 certificate is in force, the self-insurer will pay the same
19-22 judgments in the same amounts as an insurer would be obligated to
19-23 pay under an owner's motor vehicle liability insurance policy
19-24 issued to the self-insurer if such policy were issued.

19-25 SECTION 72. The heading to Subchapter F, Chapter 601,
19-26 Transportation Code, is amended to read as follows:

19-27 SUBCHAPTER F. SECURITY FOLLOWING COLLISION [~~ACCIDENT~~]

19-28 SECTION 73. Section 601.151, Transportation Code, is
19-29 amended to read as follows:

19-30 Sec. 601.151. APPLICABILITY OF SUBCHAPTER. (a) This
19-31 subchapter applies only to a motor vehicle collision [~~accident~~] in
19-32 this state that results in bodily injury or death or in damage to
19-33 the property of one person of at least \$1,000.

19-34 (b) This subchapter does not apply to:

19-35 (1) an owner or operator who has in effect at the time
19-36 of the collision [~~accident~~] a motor vehicle liability insurance
19-37 policy that covers the motor vehicle involved in the collision
19-38 [~~accident~~];

19-39 (2) an operator who is not the owner of the motor
19-40 vehicle, if a motor vehicle liability insurance policy or bond for
19-41 the operation of a motor vehicle the person does not own is in
19-42 effect at the time of the collision [~~accident~~];

19-43 (3) an owner or operator whose liability for damages
19-44 resulting from the collision [~~accident~~], in the judgment of the
19-45 department, is covered by another liability insurance policy or
19-46 bond;

19-47 (4) an owner or operator, if there was not bodily
19-48 injury to or damage of the property of a person other than the owner
19-49 or operator;

19-50 (5) the owner or operator of a motor vehicle that at
19-51 the time of the collision [~~accident~~] was legally parked or legally
19-52 stopped at a traffic signal;

19-53 (6) the owner of a motor vehicle that at the time of
19-54 the collision [~~accident~~] was being operated without the owner's
19-55 express or implied permission or was parked by a person who had been
19-56 operating the vehicle without that permission; or

19-57 (7) a person qualifying as a self-insurer under
19-58 Section 601.124 or a person operating a motor vehicle for a
19-59 self-insurer.

19-60 SECTION 74. Section 601.152(a), Transportation Code, is
19-61 amended to read as follows:

19-62 (a) Subject to Section 601.153, the department shall
19-63 suspend the driver's license and vehicle registrations of the owner
19-64 and operator of a motor vehicle if:

19-65 (1) the vehicle is involved in any manner in a
19-66 collision [~~an accident~~]; and

19-67 (2) the department finds that there is a reasonable
19-68 probability that a judgment will be rendered against the person as a
19-69 result of the collision [~~accident~~].

20-1 SECTION 75. Sections 601.154(a), (c), and (d),
20-2 Transportation Code, are amended to read as follows:

20-3 (a) Subject to Subsection (d), if the department finds that
20-4 there is a reasonable probability that a judgment will be rendered
20-5 against an owner or operator as a result of a collision [~~an~~
20-6 ~~accident~~], the department shall determine the amount of security
20-7 sufficient to satisfy any judgment for damages resulting from the
20-8 collision [~~accident~~] that may be recovered from the owner or
20-9 operator.

20-10 (c) In determining whether there is a reasonable
20-11 probability that a judgment will be rendered against the person as a
20-12 result of a collision [~~an accident~~] and the amount of security that
20-13 is sufficient under Subsection (a), the department may consider:

- 20-14 (1) a report of an investigating officer; and
- 20-15 (2) an affidavit of a person who has knowledge of the
20-16 facts.

20-17 (d) The department shall make the determination required by
20-18 Subsection (a) only if the department has not received, before the
20-19 21st day after the date the department receives a report of a motor
20-20 vehicle collision [~~accident~~], satisfactory evidence that the owner
20-21 or operator has:

- 20-22 (1) been released from liability;
- 20-23 (2) been finally adjudicated not to be liable; or
- 20-24 (3) executed an acknowledged written agreement
20-25 providing for the payment of an agreed amount in installments for
20-26 all claims for injuries or damages resulting from the collision
20-27 [~~accident~~].

20-28 SECTION 76. Section 601.155(b), Transportation Code, is
20-29 amended to read as follows:

20-30 (b) The notice must state that:
20-31 (1) the person's driver's license and vehicle
20-32 registration or the person's nonresident's operating privilege will
20-33 be suspended unless the person, not later than the 20th day after
20-34 the date the notice was personally served or sent, establishes
20-35 that:

20-36 (A) this subchapter does not apply to the person,
20-37 and the person has previously provided this information to the
20-38 department; or

20-39 (B) there is no reasonable probability that a
20-40 judgment will be rendered against the person as a result of the
20-41 collision [~~accident~~]; and

20-42 (2) the person is entitled to a hearing under this
20-43 subchapter if a written request for a hearing is delivered or mailed
20-44 to the department not later than the 20th day after the date the
20-45 notice was personally served or sent.

20-46 SECTION 77. Section 601.157(b), Transportation Code, is
20-47 amended to read as follows:

20-48 (b) The judge at the hearing shall determine:
20-49 (1) whether there is a reasonable probability that a
20-50 judgment will be rendered against the person requesting the hearing
20-51 as a result of the collision [~~accident~~]; and

20-52 (2) if there is a reasonable probability that a
20-53 judgment will be rendered, the amount of security sufficient to
20-54 satisfy any judgment for damages resulting from the collision
20-55 [~~accident~~].

20-56 SECTION 78. Section 601.158(a), Transportation Code, is
20-57 amended to read as follows:

20-58 (a) If, after a hearing under this subchapter, the judge
20-59 determines that there is a reasonable probability that a judgment
20-60 will be rendered against the person requesting the hearing as a
20-61 result of the collision [~~accident~~], the person may appeal the
20-62 determination.

20-63 SECTION 79. Section 601.162(a), Transportation Code, is
20-64 amended to read as follows:

20-65 (a) The suspension of a driver's license, vehicle
20-66 registration, or nonresident's operating privilege under this
20-67 subchapter remains in effect, the license, registration, or
20-68 privilege may not be renewed, and a license or vehicle registration
20-69 may not be issued to the holder of the suspended license,

21-1 registration, or privilege, until:

21-2 (1) the date the person, or a person acting on the
21-3 person's behalf, deposits security and files evidence of financial
21-4 responsibility under Section 601.153;

21-5 (2) the second anniversary of the date of the
21-6 collision [~~accident~~], if evidence satisfactory to the department is
21-7 filed with the department that, during the two-year period, an
21-8 action for damages arising out of the collision [~~accident~~] has not
21-9 been instituted; or

21-10 (3) the date evidence satisfactory to the department
21-11 is filed with the department of:

21-12 (A) a release from liability for claims arising
21-13 out of the collision [~~accident~~];

21-14 (B) a final adjudication that the person is not
21-15 liable for claims arising out of the collision [~~accident~~]; or

21-16 (C) an installment agreement described by
21-17 Section 601.154(d)(3).

21-18 SECTION 80. Section 601.163(b), Transportation Code, is
21-19 amended to read as follows:

21-20 (b) A person depositing security shall specify in writing
21-21 the person on whose behalf the deposit is made. A single deposit of
21-22 security is applicable only on behalf of persons required to
21-23 provide security because of the same collision [~~accident~~] and the
21-24 same motor vehicle.

21-25 SECTION 81. Section 601.164(a), Transportation Code, is
21-26 amended to read as follows:

21-27 (a) The department may reduce the amount of security ordered
21-28 in a case within six months after the date of the collision
21-29 [~~accident~~] if, in the department's judgment, the amount is
21-30 excessive.

21-31 SECTION 82. Section 601.166, Transportation Code, is
21-32 amended to read as follows:

21-33 Sec. 601.166. PAYMENT OF CASH SECURITY. (a) Cash security
21-34 may be applied only to the payment of:

21-35 (1) a judgment rendered against the person on whose
21-36 behalf the deposit is made for damages arising out of the collision
21-37 [~~accident~~]; or

21-38 (2) a settlement, agreed to by the depositor, of a
21-39 claim arising out of the collision [~~accident~~].

21-40 (b) For payment under Subsection (a), the action under which
21-41 the judgment was rendered must have been instituted before the
21-42 second anniversary of the later of:

21-43 (1) the date of the collision [~~accident~~]; or

21-44 (2) the date of the deposit, in the case of a deposit
21-45 of security under Section 601.162(b).

21-46 SECTION 83. Section 601.167, Transportation Code, is
21-47 amended to read as follows:

21-48 Sec. 601.167. RETURN OF CASH SECURITY. Cash security or any
21-49 balance of the security shall be returned to the depositor or the
21-50 depositor's personal representative when:

21-51 (1) evidence satisfactory to the department is filed
21-52 with the department that there has been:

21-53 (A) a release of liability;

21-54 (B) a final adjudication that the person on whose
21-55 behalf the deposit is made is not liable; or

21-56 (C) an agreement as described by Section
21-57 601.154(d)(3);

21-58 (2) reasonable evidence is provided to the department
21-59 after the second anniversary of the date of the collision
21-60 [~~accident~~] that no action arising out of the collision [~~accident~~]
21-61 is pending and no judgment rendered in such an action is unpaid; or

21-62 (3) in the case of a deposit of security under Section
21-63 601.162(b), reasonable evidence is provided to the department after
21-64 the second anniversary of the date of the deposit that no action
21-65 arising out of the collision [~~accident~~] is pending and no unpaid
21-66 judgment rendered in such an action is unpaid.

21-67 SECTION 84. Section 601.168(b), Transportation Code, is
21-68 amended to read as follows:

21-69 (b) A bond or motor vehicle liability insurance policy

22-1 issued by a surety company or insurance company that is not
 22-2 authorized to do business in this state is effective under this
 22-3 subchapter only if:

22-4 (1) the bond or policy is issued for a motor vehicle
 22-5 that:

22-6 (A) is not registered in this state; or
 22-7 (B) was not registered in this state on the
 22-8 effective date of the most recent renewal of the policy; and

22-9 (2) the surety company or insurance company executes a
 22-10 power of attorney authorizing the department to accept on the
 22-11 company's behalf service of notice or process in an action arising
 22-12 out of the collision [~~accident~~] on the bond or policy.

22-13 SECTION 85. Section 601.169, Transportation Code, is
 22-14 amended to read as follows:

22-15 Sec. 601.169. REASONABLE PROBABILITY NOT ADMISSIBLE IN
 22-16 CIVIL SUIT. A determination under Section 601.154 or 601.157 that
 22-17 there is a reasonable probability that a judgment will be rendered
 22-18 against a person as a result of a collision [~~an accident~~] may not be
 22-19 introduced in evidence in a suit for damages arising from that
 22-20 collision [~~accident~~].

22-21 SECTION 86. Section 601.291, Transportation Code, is
 22-22 amended to read as follows:

22-23 Sec. 601.291. APPLICABILITY OF SUBCHAPTER. This subchapter
 22-24 applies only to the owner or operator of a motor vehicle that:

22-25 (1) is not registered in this state; and
 22-26 (2) is involved in a motor vehicle collision
 22-27 [~~accident~~] in this state that results in bodily injury, death, or
 22-28 damage to the property of one person to an apparent extent of at
 22-29 least \$500.

22-30 SECTION 87. Section 601.292, Transportation Code, is
 22-31 amended to read as follows:

22-32 Sec. 601.292. DUTY TO PROVIDE EVIDENCE OF FINANCIAL
 22-33 RESPONSIBILITY TO INVESTIGATING OFFICER. A person to whom this
 22-34 subchapter applies shall provide evidence of financial
 22-35 responsibility to a law enforcement officer of this state or a
 22-36 political subdivision of this state who is conducting an
 22-37 investigation of the collision [~~accident~~].

22-38 SECTION 88. Sections 601.293(b), (c), and (d),
 22-39 Transportation Code, are amended to read as follows:

22-40 (b) The magistrate shall conduct an inquiry on the issues of
 22-41 negligence and liability for bodily injury, death, or property
 22-42 damage sustained in the collision [~~accident~~].

22-43 (c) If the magistrate determines that there is a reasonable
 22-44 possibility that a judgment will be rendered against the person for
 22-45 bodily injury, death, or property damage sustained in the collision
 22-46 [~~accident~~], the magistrate shall order the person to provide:

22-47 (1) evidence of financial responsibility for the
 22-48 bodily injury, death, or property damage; or
 22-49 (2) evidence that the person is exempt from the
 22-50 requirement of Section 601.051.

22-51 (d) A determination of negligence or liability under
 22-52 Subsection (c) does not act as collateral estoppel on an issue in a
 22-53 criminal or civil adjudication arising from the collision
 22-54 [~~accident~~].

22-55 SECTION 89. Section 601.294, Transportation Code, is
 22-56 amended to read as follows:

22-57 Sec. 601.294. IMPOUNDMENT OF MOTOR VEHICLE. If a person to
 22-58 whom this subchapter applies does not provide evidence required
 22-59 under Section 601.293(c), the magistrate shall enter an order
 22-60 directing the sheriff of the county or the chief of police of the
 22-61 municipality to impound the motor vehicle owned or operated by the
 22-62 person that was involved in the collision [~~accident~~].

22-63 SECTION 90. Section 601.296(a), Transportation Code, is
 22-64 amended to read as follows:

22-65 (a) The department shall issue a certificate of release of
 22-66 an impounded motor vehicle to the owner, operator, or person
 22-67 authorized by the owner on submission to the department of:

22-68 (1) evidence of financial responsibility under
 22-69 Section 601.053 that shows that at the time of the collision

23-1 [~~accident~~] the vehicle was in compliance with Section 601.051 or
23-2 was exempt from the requirement of Section 601.051;

23-3 (2) a release executed by each person damaged in the
23-4 collision [~~accident~~] other than the operator of the vehicle for
23-5 which the certificate of release is requested; or

23-6 (3) security in a form and amount determined by the
23-7 department to secure the payment of damages for which the operator
23-8 may be liable.

23-9 SECTION 91. Section 601.333, Transportation Code, is
23-10 amended to read as follows:

23-11 Sec. 601.333. RELIEF FROM SUSPENSION: MOTOR VEHICLE
23-12 LIABILITY INSURANCE. (a) A person whose driver's license, vehicle
23-13 registrations, or nonresident's operating privilege has been
23-14 suspended or is subject to suspension under Section 601.332 may
23-15 file with the department:

23-16 (1) evidence that there was a motor vehicle liability
23-17 insurance policy covering the motor vehicle involved in the
23-18 collision [~~accident~~] out of which the judgment arose in effect at
23-19 the time of the collision [~~accident~~];

23-20 (2) an affidavit stating that the person was insured
23-21 at the time of the collision [~~accident~~], that the insurance company
23-22 is liable to pay the judgment, and the reason, if known, that the
23-23 insurance company has not paid the judgment;

23-24 (3) the original policy of insurance or a certified
23-25 copy of the policy, if available; and

23-26 (4) any other documents required by the department to
23-27 show that the loss, injury, or damage for which the judgment was
23-28 rendered was covered by the insurance.

23-29 (b) The department may not suspend the driver's license,
23-30 vehicle registrations, or nonresident's operating privilege, and
23-31 shall reinstate a license, registration, or privilege that has been
23-32 suspended, if it is satisfied from the documents filed under
23-33 Subsection (a) that:

23-34 (1) there was a motor vehicle liability insurance
23-35 policy in effect for the vehicle at the time of the collision
23-36 [~~accident~~];

23-37 (2) the insurance company that issued the policy was
23-38 authorized to issue the policy in this state at the time the policy
23-39 was issued; and

23-40 (3) the insurance company is liable to pay the
23-41 judgment to the extent and for the amounts required by this chapter.

23-42 SECTION 92. Section 622.954(a), Transportation Code, is
23-43 amended to read as follows:

23-44 (a) A permit is not required to exceed the weight
23-45 limitations of Section 621.101 by a combination of a tow truck and
23-46 another vehicle or vehicle combination if:

23-47 (1) the nature of the service provided by the tow truck
23-48 is needed to remove disabled, abandoned, or collision-damaged
23-49 [~~accident-damaged~~] vehicles; and

23-50 (2) the tow truck is towing the other vehicle or
23-51 vehicle combination directly to the nearest authorized place of
23-52 repair, terminal, or vehicle storage facility.

23-53 SECTION 93. Section 623.0172(1), Transportation Code, is
23-54 amended to read as follows:

23-55 (1) Beginning in 2022, not later than September 1 of each
23-56 even-numbered year, the Texas Department of Transportation shall
23-57 conduct a study concerning vehicles operating under a permit issued
23-58 under this section and publish the results of the study. In
23-59 conducting the study, the Texas Department of Transportation shall
23-60 collect and examine the following information:

23-61 (1) the weight and configuration of vehicles operating
23-62 under a permit under this section that are involved in a motor
23-63 vehicle collision [~~accident~~];

23-64 (2) the types of vehicles operating under a permit
23-65 issued under this section;

23-66 (3) traffic volumes and variations of vehicles
23-67 operating under a permit issued under this section;

23-68 (4) weigh-in-motion data for highways located in and
23-69 around the area described by Subsection (c);

24-1 (5) impacts to state and local bridges, including
24-2 long-term bridge performance, for bridges located in and around the
24-3 area described by Subsection (c); and

24-4 (6) impacts to state and local roads, including
24-5 changes in pavement design standards, construction specification
24-6 details, maintenance frequency and types, and properties of
24-7 pavement and underlying soils resulting from or necessitated by
24-8 vehicles operating under a permit issued under this section.

24-9 SECTION 94. Section 623.410, Transportation Code, is
24-10 amended to read as follows:

24-11 Sec. 623.410. STUDY. Beginning in 2022, not later than
24-12 September 1 of each even-numbered year, the Texas Department of
24-13 Transportation shall conduct a study concerning vehicles operating
24-14 under a permit issued under this subchapter and publish the results
24-15 of the study. In conducting the study, the Texas Department of
24-16 Transportation shall collect and examine the following
24-17 information:

24-18 (1) the weight and configuration of vehicles operating
24-19 under a permit issued under this subchapter that are involved in a
24-20 motor vehicle collision [~~accident~~];

24-21 (2) the types of vehicles operating under a permit
24-22 issued under this subchapter;

24-23 (3) traffic volumes and variations of vehicles
24-24 operating under a permit issued under this subchapter;

24-25 (4) weigh-in-motion data for highways and roads
24-26 located in and around the area described by Section 623.405(b);

24-27 (5) impacts to state and local bridges, including
24-28 long-term bridge performance, for bridges located in and around the
24-29 area described by Section 623.405(b); and

24-30 (6) impacts to state and local roads, including
24-31 changes in pavement design standards, construction specification
24-32 details, maintenance frequency and types, and properties of
24-33 pavement and underlying soils resulting from or necessitated by
24-34 vehicles operating under a permit issued under this subchapter.

24-35 SECTION 95. Section 643.105, Transportation Code, is
24-36 amended to read as follows:

24-37 Sec. 643.105. INSOLVENCY OF INSURER. If an insurer for a
24-38 motor carrier becomes insolvent, is placed in receivership, or has
24-39 its certificate of authority suspended or revoked and if the
24-40 carrier no longer has insurance coverage as required by this
24-41 subchapter, the carrier shall file with the department, not later
24-42 than the 10th day after the date the coverage lapses:

24-43 (1) evidence of insurance as required by Section
24-44 643.103; and

24-45 (2) an affidavit that:

24-46 (A) indicates that a collision [~~an accident~~] from
24-47 which the carrier may incur liability did not occur while the
24-48 coverage was not in effect; or

24-49 (B) contains a plan acceptable to the department
24-50 indicating how the carrier will satisfy claims of liability against
24-51 the carrier for a collision [~~an accident~~] that occurred while the
24-52 coverage was not in effect.

24-53 SECTION 96. Section 644.151(b-1), Transportation Code, is
24-54 amended to read as follows:

24-55 (b-1) An offense under Subsection (a)(3) is a Class A
24-56 misdemeanor, except that the offense is:

24-57 (1) a state jail felony if it is shown on the trial of
24-58 the offense that at the time of the offense the commercial motor
24-59 vehicle was involved in a motor vehicle collision [~~accident~~] that
24-60 resulted in bodily injury; or

24-61 (2) a felony of the second degree if it is shown on the
24-62 trial of the offense that at the time of the offense the commercial
24-63 motor vehicle was involved in a motor vehicle collision [~~accident~~]
24-64 that resulted in the death of a person.

24-65 SECTION 97. Sections 661.003(c) and (i), Transportation
24-66 Code, are amended to read as follows:

24-67 (c) It is an exception to the application of Subsection (a)
24-68 or (b) that at the time the offense was committed, the person
24-69 required to wear protective headgear was at least 21 years old and

25-1 had successfully completed a motorcycle operator training and
 25-2 safety course under Chapter 662 or was covered by a health insurance
 25-3 plan providing the person with medical benefits for injuries
 25-4 incurred as a result of a collision [~~an accident~~] while operating or
 25-5 riding on a motorcycle. A peace officer may not arrest a person or
 25-6 issue a citation to a person for a violation of Subsection (a) or
 25-7 (b) if the person required to wear protective headgear is at least
 25-8 21 years of age and presents evidence sufficient to show that the
 25-9 person required to wear protective headgear has successfully
 25-10 completed a motorcycle operator training and safety course or is
 25-11 covered by a health insurance plan as described by this subsection.

25-12 (i) In this section, "health insurance plan" means an
 25-13 individual, group, blanket, or franchise insurance policy,
 25-14 insurance agreement, evidence of coverage, group hospital services
 25-15 contract, health maintenance organization membership, or employee
 25-16 benefit plan that provides benefits for health care services or for
 25-17 medical or surgical expenses incurred as a result of a collision [~~an~~
 25-18 ~~accident~~].

25-19 SECTION 98. Section 686.001(1), Transportation Code, is
 25-20 amended to read as follows:

25-21 (1) "Financial responsibility" means the ability to
 25-22 respond in damages for liability for a collision [~~an accident~~]
 25-23 that:

25-24 (A) occurs after the effective date of the
 25-25 document evidencing the establishment of the financial
 25-26 responsibility; and

25-27 (B) arises out of the operation of a motor
 25-28 vehicle by an employee of a valet parking service.

25-29 SECTION 99. Section 686.004(a), Transportation Code, is
 25-30 amended to read as follows:

25-31 (a) The minimum amounts of motor vehicle liability
 25-32 insurance coverage required to establish financial responsibility
 25-33 under this chapter are:

25-34 (1) \$100,000 for bodily injury to or death of one
 25-35 person in one collision [~~accident~~];

25-36 (2) \$300,000 for bodily injury to or death of two or
 25-37 more persons in one collision [~~accident~~], subject to the amount
 25-38 provided by Subdivision (1) for bodily injury to or death of one of
 25-39 the persons; and

25-40 (3) \$50,000 for damage to or destruction of property
 25-41 of others in one collision [~~accident~~].

25-42 SECTION 100. Section 686.005, Transportation Code, is
 25-43 amended to read as follows:

25-44 Sec. 686.005. COMMON LAW DEFENSES. In an action against an
 25-45 owner or operator of a valet parking service that has not
 25-46 established financial responsibility as required by this chapter to
 25-47 recover damages for personal injuries, death, or property damage
 25-48 sustained in a motor vehicle collision [~~accident~~] arising out of
 25-49 the operation of a valet parking service, it is not a defense that
 25-50 the party who brings the action:

25-51 (1) was guilty of contributory negligence; or

25-52 (2) assumed the risk of injury, death, or property
 25-53 damage.

25-54 SECTION 101. Section 709.002(e), Transportation Code, is
 25-55 amended to read as follows:

25-56 (e) Of the money received by the comptroller under this
 25-57 section, the comptroller shall deposit:

25-58 (1) 80 percent to the credit of the undedicated
 25-59 portion of the general revenue fund, to be used only for criminal
 25-60 justice purposes; and

25-61 (2) 20 percent to the credit of the designated trauma
 25-62 facility and emergency medical services account under Section
 25-63 780.003, Health and Safety Code, to be used only for the criminal
 25-64 justice purpose of funding designated trauma facilities, county and
 25-65 regional emergency medical services, and trauma care systems that
 25-66 provide trauma care and emergency medical services to victims of
 25-67 collisions [~~accidents~~] resulting from traffic offenses.

25-68 SECTION 102. Section 723.011(a), Transportation Code, is
 25-69 amended to read as follows:

26-1 (a) The governor shall:

26-2 (1) prepare and administer a statewide traffic safety

26-3 program designed to reduce traffic collisions [~~accidents~~] and the

26-4 death, injury, and property damage that result from traffic

26-5 collisions [~~accidents~~];

26-6 (2) adopt rules for the administration of this

26-7 chapter, including rules, procedures, and policy statements

26-8 governing grants-in-aid and contractual relations;

26-9 (3) receive on the state's behalf for the

26-10 implementation of this chapter money made available by the United

26-11 States under federal law; and

26-12 (4) allocate money appropriated by the legislature in

26-13 the General Appropriations Act to implement this chapter.

26-14 SECTION 103. Section 723.012, Transportation Code, is

26-15 amended to read as follows:

26-16 Sec. 723.012. TRAFFIC SAFETY PROGRAM. The statewide

26-17 traffic safety program must include:

26-18 (1) a driver education and training program

26-19 administered by the governor through appropriate agencies that

26-20 complies with Section 723.013;

26-21 (2) plans for improving:

26-22 (A) driver licensing;

26-23 (B) collision [~~accident~~] records;

26-24 (C) vehicle inspection, registration, and

26-25 titling;

26-26 (D) traffic engineering;

26-27 (E) personnel;

26-28 (F) police traffic supervision;

26-29 (G) traffic courts;

26-30 (H) highway design; and

26-31 (I) uniform traffic laws; and

26-32 (3) plans for local traffic safety programs by legal

26-33 and political subdivisions of this state that may be implemented if

26-34 the programs:

26-35 (A) are approved by the governor; and

26-36 (B) conform with uniform standards adopted under

26-37 the Highway Safety Act of 1966 (23 U.S.C. Sec. 401 et seq.).

26-38 SECTION 104. Section 723.013(a), Transportation Code, is

26-39 amended to read as follows:

26-40 (a) The statewide driver education and training program

26-41 required by Section 723.012 shall provide for:

26-42 (1) rules that permit controlled innovation and

26-43 experimentation and that set minimum standards for:

26-44 (A) classroom instruction;

26-45 (B) driving skills training;

26-46 (C) instructor qualifications;

26-47 (D) program content; and

26-48 (E) supplementary materials and equipment;

26-49 (2) a method for continuing evaluation of approved

26-50 driver education and training programs to identify the practices

26-51 most effective in preventing traffic collisions [~~accidents~~]; and

26-52 (3) contracts between the governing bodies of

26-53 centrally located independent school districts or other

26-54 appropriate public or private agencies and the state to provide

26-55 approved driver education and training programs.

26-56 SECTION 105. Sections 724.012(a-1) and (b), Transportation

26-57 Code, are amended to read as follows:

26-58 (a-1) A peace officer shall require the taking of a specimen

26-59 of the person's blood if:

26-60 (1) the officer arrests the person for an offense

26-61 under Chapter 49, Penal Code, involving the operation of a motor

26-62 vehicle or a watercraft;

26-63 (2) the person refuses the officer's request to submit

26-64 to the taking of a specimen voluntarily;

26-65 (3) the person was the operator of a motor vehicle or a

26-66 watercraft involved in a collision [~~an accident~~] that the officer

26-67 reasonably believes occurred as a result of the offense; and

26-68 (4) at the time of the arrest, the officer reasonably

26-69 believes that as a direct result of the collision [~~accident~~] any

27-1 individual has died, will die, or has suffered serious bodily
27-2 injury.

27-3 (b) Subject to Subsection (a-1), a peace officer shall
27-4 require the taking of a specimen of the person's breath or blood
27-5 under any of the following circumstances if the officer arrests the
27-6 person for an offense under Chapter 49, Penal Code, involving the
27-7 operation of a motor vehicle or a watercraft and the person refuses
27-8 the officer's request to submit to the taking of a specimen
27-9 voluntarily:

27-10 (1) the person was the operator of a motor vehicle or a
27-11 watercraft involved in a collision [~~an accident~~] that the officer
27-12 reasonably believes occurred as a result of the offense and, at the
27-13 time of the arrest, the officer reasonably believes that as a direct
27-14 result of the collision [~~accident~~] an individual other than the
27-15 person has suffered bodily injury and been transported to a
27-16 hospital or other medical facility for medical treatment;

27-17 (2) the offense for which the officer arrests the
27-18 person is an offense under Section 49.045, Penal Code; or

27-19 (3) at the time of the arrest, the officer possesses or
27-20 receives reliable information from a credible source that the
27-21 person:

27-22 (A) has been previously convicted of or placed on
27-23 community supervision for an offense under Section 49.045, 49.07,
27-24 or 49.08, Penal Code, or an offense under the laws of another state
27-25 containing elements substantially similar to the elements of an
27-26 offense under those sections; or

27-27 (B) on two or more occasions, has been previously
27-28 convicted of or placed on community supervision for an offense
27-29 under Section 49.04, 49.05, 49.06, or 49.065, Penal Code, or an
27-30 offense under the laws of another state containing elements
27-31 substantially similar to the elements of an offense under those
27-32 sections.

27-33 SECTION 106. Section 726.002, Transportation Code, is
27-34 amended to read as follows:

27-35 Sec. 726.002. TESTING AND INSPECTION OF MOTOR VEHICLES. A
27-36 municipality may adopt an ordinance:

27-37 (1) requiring each resident of the municipality,
27-38 including a corporation having its principal office or place of
27-39 business in the municipality, who owns a motor vehicle used for the
27-40 transportation of persons or property and each person operating a
27-41 motor vehicle on the public thoroughfares of the municipality to
27-42 have each motor vehicle owned or operated, as appropriate, tested
27-43 and inspected not more than four times in each calendar year;

27-44 (2) requiring each motor vehicle involved in a
27-45 collision [~~an accident~~] to be tested and inspected before it may be
27-46 operated on the public thoroughfares of the municipality; or

27-47 (3) requiring that a motor vehicle operated on the
27-48 public thoroughfares of the municipality be tested, inspected, and
27-49 approved by the testing and inspecting authority.

27-50 SECTION 107. Sections 730.003(4) and (6), Transportation
27-51 Code, are amended to read as follows:

27-52 (4) "Motor vehicle record" means a record that
27-53 pertains to a motor vehicle operator's or driver's license or
27-54 permit, motor vehicle registration, motor vehicle title, or
27-55 identification document issued by an agency of this state or a local
27-56 agency authorized to issue an identification document. The term
27-57 does not include:

27-58 (A) a record that pertains to a motor carrier; or
27-59 (B) a collision [~~an accident~~] report prepared

27-60 under:
27-61 (i) Chapter 550; or
27-62 (ii) former Section 601.004 before
27-63 September 1, 2017.

27-64 (6) "Personal information" means information that
27-65 identifies a person, including an individual's photograph or
27-66 computerized image, social security number, date of birth, driver
27-67 identification number, name, address, but not the zip code, e-mail
27-68 address, telephone number, and medical or disability information.
27-69 The term does not include:

28-1 (A) information on vehicle collisions
28-2 [~~accidents~~], driving or equipment-related violations, or driver's
28-3 license or registration status; or

28-4 (B) information contained in a collision [~~an~~
28-5 ~~accident~~] report prepared under:

28-6 (i) Chapter 550; or

28-7 (ii) former Section 601.004 before
28-8 September 1, 2017.

28-9 SECTION 108. Section 1006.153(e), Transportation Code, is
28-10 amended to read as follows:

28-11 (e) Out of each fee collected under Subsection (b) or an
28-12 amount collected under Subsection (b-1):

28-13 (1) 20 percent shall be appropriated to the authority
28-14 for the purposes of this chapter;

28-15 (2) 20 percent shall be deposited to the credit of the
28-16 general revenue fund, to be used only for criminal justice
28-17 purposes; and

28-18 (3) 60 percent shall be deposited to the credit of the
28-19 designated trauma facility and emergency medical services account
28-20 under Section 780.003, Health and Safety Code, to be used only for
28-21 the criminal justice purpose of funding designated trauma
28-22 facilities, county and regional emergency medical services, and
28-23 trauma care systems that provide trauma care and emergency medical
28-24 services to victims of collisions [~~accidents~~] resulting from
28-25 traffic offenses.

28-26 SECTION 109. The heading to Chapter 504, Business &
28-27 Commerce Code, is amended to read as follows:

28-28 CHAPTER 504. PROHIBITED USE OF CRIME VICTIM OR MOTOR VEHICLE
28-29 COLLISION [~~ACCIDENT~~] INFORMATION

28-30 SECTION 110. Section 504.001(2), Business & Commerce Code,
28-31 is amended to read as follows:

28-32 (2) "Motor vehicle collision [~~accident~~] information"
28-33 means information that:

28-34 (A) is collected or prepared by a law enforcement
28-35 agency; and

28-36 (B) identifies or serves to identify a person
28-37 who, according to a record of the agency, may have been involved in
28-38 a motor vehicle collision [~~accident~~].

28-39 SECTION 111. Section 504.002(a), Business & Commerce Code,
28-40 is amended to read as follows:

28-41 (a) A person who possesses crime victim or motor vehicle
28-42 collision [~~accident~~] information that the person obtained or knows
28-43 was obtained from a law enforcement agency may not:

28-44 (1) use the information to contact directly any of the
28-45 following persons for the purpose of soliciting business from the
28-46 person:

28-47 (A) a crime victim;

28-48 (B) a person who was involved in a motor vehicle
28-49 collision [~~accident~~]; or

28-50 (C) a member of the family of a person described
28-51 by Paragraph (A) or (B); or

28-52 (2) sell the information to another person for
28-53 financial gain.

28-54 SECTION 112. Section 17.062(a), Civil Practice and Remedies
28-55 Code, is amended to read as follows:

28-56 (a) The chairman of the Texas Transportation Commission is
28-57 an agent for service of process on a person who is a nonresident or
28-58 an agent of a nonresident in any suit against the person or agent
28-59 that grows out of a collision [~~or accident~~] in which the person or
28-60 the person's [~~his~~] agent is involved while operating a motor
28-61 vehicle in this state.

28-62 SECTION 113. Section 30.006(e), Civil Practice and Remedies
28-63 Code, is amended to read as follows:

28-64 (e) This section does not apply to:

28-65 (1) a report of a collision [~~an accident~~] under
28-66 Chapter 550, Transportation Code; and

28-67 (2) photographs, field measurements, scene drawings,
28-68 and collision [~~accident~~] reconstruction done in conjunction with
28-69 the investigation of the underlying collision [~~accident~~].

29-1 SECTION 114. Section 72.001, Civil Practice and Remedies
29-2 Code, is amended to read as follows:

29-3 Sec. 72.001. LIMITED LIABILITY. A person who is related to
29-4 the owner or operator of a motor vehicle within the second degree by
29-5 consanguinity or affinity, as determined under Chapter 573,
29-6 Government Code, and who is being transported in the motor vehicle
29-7 over a public highway of this state as a guest without payment for
29-8 the transportation has a cause of action against the owner or
29-9 operator of the motor vehicle for injury, death, or loss in a
29-10 collision [~~an accident~~] only if the collision [~~accident~~] was
29-11 intentional on the part of the owner or operator or was caused by
29-12 the owner's or operator's [~~his~~] heedlessness or reckless disregard
29-13 of the rights of others.

29-14 SECTION 115. Section 72.051, Civil Practice and Remedies
29-15 Code, is amended by amending Subdivisions (2) and (4) and adding
29-16 Subdivision (3-a) to read as follows:

29-17 (2) "Civil action" means an action in which:
29-18 (A) a claimant seeks recovery of damages for
29-19 bodily injury or death caused in a collision [~~an accident~~]; and

29-20 (B) a defendant:
29-21 (i) operated a commercial motor vehicle
29-22 involved in the collision [~~accident~~]; or

29-23 (ii) owned, leased, or otherwise held or
29-24 exercised legal control over a commercial motor vehicle or operator
29-25 of a commercial motor vehicle involved in the collision [~~accident~~].

29-26 (3-a) "Collision" means an event in which operating a
29-27 commercial motor vehicle causes bodily injury or death.

29-28 (4) "Commercial motor vehicle" means a motor vehicle
29-29 being used for commercial purposes in interstate or intrastate
29-30 commerce to transport property or passengers, deliver or transport
29-31 goods, or provide services. The term does not include a motor
29-32 vehicle being used at the time of the collision [~~accident~~] for
29-33 personal, family, or household purposes.

29-34 SECTION 116. The heading to Section 72.052, Civil Practice
29-35 and Remedies Code, is amended to read as follows:

29-36 Sec. 72.052. BIFURCATED TRIAL IN CERTAIN COMMERCIAL MOTOR
29-37 VEHICLE COLLISION [~~ACCIDENT~~] ACTIONS.

29-38 SECTION 117. Sections 72.054(a), (c), (d), and (f), Civil
29-39 Practice and Remedies Code, are amended to read as follows:

29-40 (a) Except as provided by Subsection (d), in a civil action
29-41 under this subchapter, an employer defendant's liability for
29-42 damages caused by the ordinary negligence of a person operating the
29-43 defendant's commercial motor vehicle shall be based only on
29-44 respondeat superior if the defendant stipulates, within the time
29-45 provided by Section 72.052 for filing a motion to bifurcate, that,
29-46 at the time of the collision [~~accident~~], the person operating the
29-47 vehicle was:

- 29-48 (1) the defendant's employee; and
- 29-49 (2) acting within the scope of employment.

29-50 (c) In a civil action under this subchapter in which an
29-51 employer defendant is regulated by the Motor Carrier Safety
29-52 Improvement Act of 1999 (Pub. L. No. 106-159) or Chapter 644,
29-53 Transportation Code, a party may present any of the following
29-54 evidence in the first phase of a trial that is bifurcated under
29-55 Section 72.052 if applicable to a defendant in the action:

29-56 (1) whether the employee who was operating the
29-57 employer defendant's commercial motor vehicle at the time of the
29-58 collision [~~accident~~] that is the subject of the civil action:

29-59 (A) was licensed to drive the vehicle at the time
29-60 of the collision [~~accident~~];

29-61 (B) was disqualified from driving the vehicle
29-62 under 49 C.F.R. Section 383.51, 383.52, or 391.15 at the time of the
29-63 collision [~~accident~~];

29-64 (C) was subject to an out-of-service order, as
29-65 defined by 49 C.F.R. Section 390.5, at the time of the collision
29-66 [~~accident~~];

29-67 (D) was driving the vehicle in violation of a
29-68 license restriction imposed under 49 C.F.R. Section 383.95 or
29-69 Section 522.043, Transportation Code, at the time of the collision

30-1 [~~accident~~];

30-2 (E) had received a certificate of driver's road

30-3 test from the employer defendant as required by 49 C.F.R. Section

30-4 391.31 or had an equivalent certificate or license as provided by 49

30-5 C.F.R. Section 391.33;

30-6 (F) had been medically certified as physically

30-7 qualified to operate the vehicle under 49 C.F.R. Section 391.41;

30-8 (G) was operating the vehicle when prohibited

30-9 from doing so under 49 C.F.R. Section 382.201, 382.205, 382.207,

30-10 382.215, 395.3, or 395.5 or 37 T.A.C. Section 4.12, as applicable,

30-11 on the day of the collision [~~accident~~];

30-12 (H) was texting or using a handheld mobile

30-13 telephone while driving the vehicle in violation of 49 C.F.R.

30-14 Section 392.80 or 392.82 at the time of the collision [~~accident~~];

30-15 (I) provided the employer defendant with an

30-16 application for employment as required by 49 C.F.R. Section

30-17 391.21(a) if the collision [~~accident~~] occurred on or before the

30-18 first anniversary of the date the employee began employment with

30-19 the employer defendant; and

30-20 (J) refused to submit to a controlled substance

30-21 test as required by 49 C.F.R. Section 382.303, 382.305, 382.307,

30-22 382.309, or 382.311 during the two years preceding the date of the

30-23 collision [~~accident~~]; and

30-24 (2) whether the employer defendant:

30-25 (A) allowed the employee to operate the

30-26 employer's commercial motor vehicle on the day of the collision

30-27 [~~accident~~] in violation of 49 C.F.R. Section 382.201, 382.205,

30-28 382.207, 382.215, 382.701(d), 395.3, or 395.5 or 37 T.A.C. Section

30-29 4.12, as applicable;

30-30 (B) had complied with 49 C.F.R. Section 382.301

30-31 in regard to controlled-substance testing of the employee driver

30-32 if:

30-33 (i) the employee driver was impaired

30-34 because of the use of a controlled substance at the time of the

30-35 collision [~~accident~~]; and

30-36 (ii) the collision [~~accident~~] occurred on

30-37 or before the 180th day after the date the employee driver began

30-38 employment with the employer defendant;

30-39 (C) had made the investigations and inquiries as

30-40 provided by 49 C.F.R. Section 391.23(a) in regard to the employee

30-41 driver if the collision [~~accident~~] occurred on or before the first

30-42 anniversary of the date the employee driver began employment with

30-43 the employer defendant; and

30-44 (D) was subject to an out-of-service order, as

30-45 defined by 49 C.F.R. Section 390.5, at the time of the collision

30-46 [~~accident~~].

30-47 (d) If a civil action is bifurcated under Section 72.052,

30-48 evidence admissible under Subsection (c) is:

30-49 (1) admissible in the first phase of the trial only to

30-50 prove ordinary negligent entrustment by the employer defendant to

30-51 the employee who was driving the employer defendant's commercial

30-52 motor vehicle at the time of the collision [~~accident~~] that is the

30-53 subject of the action; and

30-54 (2) the only evidence that may be presented by the

30-55 claimant in the first phase of the trial on the negligent

30-56 entrustment claim.

30-57 (f) Nothing in this section prevents a claimant from

30-58 pursuing:

30-59 (1) an ordinary negligence claim against an employer

30-60 defendant for a claim, such as negligent maintenance, that does not

30-61 require a finding of negligence by an employee as a prerequisite to

30-62 an employer defendant being found negligent for its conduct or

30-63 omission, or from presenting evidence on that claim in the first

30-64 phase of a bifurcated trial; or

30-65 (2) a claim for exemplary damages under Chapter 41 for

30-66 an employer defendant's conduct or omissions in relation to the

30-67 collision [~~accident~~] that is the subject of the action, or from

30-68 presenting evidence on that claim in the second phase of a

30-69 bifurcated trial.

31-1 SECTION 118. Section 72.055, Civil Practice and Remedies
31-2 Code, is amended to read as follows:

31-3 Sec. 72.055. ADMISSIBILITY OF VISUAL DEPICTIONS OF
31-4 COLLISION [~~ACCIDENT~~]. (a) In a civil action under this subchapter,
31-5 a court may not require expert testimony for admission into
31-6 evidence of a photograph or video of a vehicle or object involved in
31-7 a collision [~~an accident~~] that is the subject of the action except
31-8 as necessary to authenticate the photograph or video.

31-9 (b) If properly authenticated under the Texas Rules of
31-10 Evidence, a photograph or video of a vehicle or object involved in a
31-11 collision [~~an accident~~] that is the subject of a civil action under
31-12 this subchapter is presumed admissible, even if the photograph or
31-13 video tends to support or refute an assertion regarding the
31-14 severity of damages or injury to an object or person involved in the
31-15 collision [~~accident~~].

31-16 SECTION 119. Article 12.01, Code of Criminal Procedure, is
31-17 amended to read as follows:

31-18 Art. 12.01. FELONIES. Except as provided in Article 12.03,
31-19 felony indictments may be presented within these limits, and not
31-20 afterward:

31-21 (1) no limitation:

31-22 (A) murder and manslaughter;

31-23 (B) sexual assault under Section 22.011(a)(2),
31-24 Penal Code, or aggravated sexual assault under Section
31-25 22.021(a)(1)(B), Penal Code;

31-26 (C) sexual assault, if:
31-27 (i) during the investigation of the offense
31-28 biological matter is collected and the matter:

31-29 (a) has not yet been subjected to
31-30 forensic DNA testing; or

31-31 (b) has been subjected to forensic DNA
31-32 testing and the testing results show that the matter does not match
31-33 the victim or any other person whose identity is readily
31-34 ascertained; or

31-35 (ii) probable cause exists to believe that
31-36 the defendant has committed the same or a similar sex offense
31-37 against five or more victims;

31-38 (D) continuous sexual abuse of young child or
31-39 disabled individual under Section 21.02, Penal Code;

31-40 (E) indecency with a child under Section 21.11,
31-41 Penal Code;

31-42 (F) an offense involving leaving the scene of a
31-43 collision [~~an accident~~] under Section 550.021, Transportation
31-44 Code, if the collision [~~accident~~] resulted in the death of a person;

31-45 (G) trafficking of persons under Section
31-46 20A.02(a)(7) or (8), Penal Code;

31-47 (H) continuous trafficking of persons under
31-48 Section 20A.03, Penal Code; or

31-49 (I) compelling prostitution under Section
31-50 43.05(a)(2), Penal Code;

31-51 (2) ten years from the date of the commission of the
31-52 offense:

31-53 (A) theft of any estate, real, personal or mixed,
31-54 by an executor, administrator, guardian or trustee, with intent to
31-55 defraud any creditor, heir, legatee, ward, distributee,
31-56 beneficiary or settlor of a trust interested in such estate;

31-57 (B) theft by a public servant of government
31-58 property over which the public servant exercises control in the
31-59 public servant's official capacity;

31-60 (C) forgery or the uttering, using, or passing of
31-61 forged instruments;

31-62 (D) injury to an elderly or disabled individual
31-63 punishable as a felony of the first degree under Section 22.04,
31-64 Penal Code;

31-65 (E) sexual assault, except as provided by
31-66 Subdivision (1) or (7);

31-67 (F) arson;

31-68 (G) trafficking of persons under Section
31-69 20A.02(a)(1), (2), (3), or (4), Penal Code; or

32-1 (H) compelling prostitution under Section
32-2 43.05(a)(1), Penal Code;
32-3 (3) seven years from the date of the commission of the
32-4 offense:
32-5 (A) misapplication of fiduciary property or
32-6 property of a financial institution;
32-7 (B) fraudulent securing of document execution;
32-8 (C) a felony violation under Chapter 162, Tax
32-9 Code;
32-10 (D) false statement to obtain property or credit
32-11 under Section 32.32, Penal Code;
32-12 (E) money laundering;
32-13 (F) credit card or debit card abuse under Section
32-14 32.31, Penal Code;
32-15 (G) fraudulent use or possession of identifying
32-16 information under Section 32.51, Penal Code;
32-17 (H) exploitation of a child, elderly individual,
32-18 or disabled individual under Section 32.53, Penal Code;
32-19 (I) health care fraud under Section 35A.02, Penal
32-20 Code; or
32-21 (J) bigamy under Section 25.01, Penal Code,
32-22 except as provided by Subdivision (6);
32-23 (4) five years from the date of the commission of the
32-24 offense:
32-25 (A) theft or robbery;
32-26 (B) except as provided by Subdivision (5),
32-27 kidnapping or burglary;
32-28 (C) injury to an elderly or disabled individual
32-29 that is not punishable as a felony of the first degree under Section
32-30 22.04, Penal Code;
32-31 (D) abandoning or endangering a child; or
32-32 (E) insurance fraud;
32-33 (5) if the investigation of the offense shows that the
32-34 victim is younger than 17 years of age at the time the offense is
32-35 committed, 20 years from the 18th birthday of the victim of one of
32-36 the following offenses:
32-37 (A) sexual performance by a child under Section
32-38 43.25, Penal Code;
32-39 (B) aggravated kidnapping under Section
32-40 20.04(a)(4), Penal Code, if the defendant committed the offense
32-41 with the intent to violate or abuse the victim sexually; or
32-42 (C) burglary under Section 30.02, Penal Code, if
32-43 the offense is punishable under Subsection (d) of that section and
32-44 the defendant committed the offense with the intent to commit an
32-45 offense described by Subdivision (1)(B) or (D) of this article or
32-46 Paragraph (B) of this subdivision;
32-47 (6) ten years from the 18th birthday of the victim of
32-48 the offense:
32-49 (A) trafficking of persons under Section
32-50 20A.02(a)(5) or (6), Penal Code;
32-51 (B) injury to a child under Section 22.04, Penal
32-52 Code; or
32-53 (C) bigamy under Section 25.01, Penal Code, if
32-54 the investigation of the offense shows that the person, other than
32-55 the legal spouse of the defendant, whom the defendant marries or
32-56 purports to marry or with whom the defendant lives under the
32-57 appearance of being married is younger than 18 years of age at the
32-58 time the offense is committed;
32-59 (7) two years from the date the offense was
32-60 discovered: sexual assault punishable as a state jail felony under
32-61 Section 22.011(f)(2), Penal Code; or
32-62 (8) three years from the date of the commission of the
32-63 offense: all other felonies.
32-64 SECTION 120. The heading to Article 42A.516, Code of
32-65 Criminal Procedure, is amended to read as follows:
32-66 Art. 42A.516. COMMUNITY SUPERVISION FOR LEAVING SCENE OF
32-67 MOTOR VEHICLE COLLISION [~~ACCIDENT~~] RESULTING IN DEATH OF PERSON.
32-68 SECTION 121. Article 49.10(j), Code of Criminal Procedure,
32-69 is amended to read as follows:

33-1 (j) A justice of the peace may order a physician, qualified
33-2 technician, paramedic, chemist, registered professional nurse, or
33-3 licensed vocational nurse to take a specimen of blood from the body
33-4 of a person who died as the result of a motor vehicle collision
33-5 [~~accident~~] if the justice determines that circumstances indicate
33-6 that the person may have been driving while intoxicated.

33-7 SECTION 122. Article 59.01(3), Code of Criminal Procedure,
33-8 is amended to read as follows:

33-9 (3) "Crime of violence" means:

33-10 (A) any criminal offense defined in the Penal
33-11 Code or in a federal criminal law that results in a personal injury
33-12 to a victim; or

33-13 (B) an act that is not an offense under the Penal
33-14 Code involving the operation of a motor vehicle, aircraft, or water
33-15 vehicle that results in injury or death sustained in a collision [~~an~~
33-16 ~~accident~~] caused by a driver in violation of Section 550.021,
33-17 Transportation Code.

33-18 SECTION 123. The heading to Section 34.015, Education Code,
33-19 is amended to read as follows:

33-20 Sec. 34.015. REPORTING OF BUS COLLISIONS [~~ACCIDENTS~~].

33-21 SECTION 124. Section 34.015(b), Education Code, is amended
33-22 to read as follows:

33-23 (b) A school district shall report annually to the Texas
33-24 Education Agency the number of collisions [~~accidents~~] in which the
33-25 district's buses are involved. The agency by rule shall determine
33-26 the information to be reported, including:

33-27 (1) the type of bus involved in the collision
33-28 [~~accident~~];

33-29 (2) whether the bus was equipped with seat belts;

33-30 (3) the number of students and adults involved in the
33-31 collision [~~accident~~];

33-32 (4) the number and types of injuries sustained by bus
33-33 passengers in the collision [~~accident~~]; and

33-34 (5) whether the injured passengers were wearing seat
33-35 belts at the time of the collision [~~accident~~].

33-36 SECTION 125. Section 54.352(g), Education Code, is amended
33-37 to read as follows:

33-38 (g) For the purpose of this section, an injury is suffered
33-39 during the performance of a duty as a peace officer if the injury
33-40 occurs as a result of the peace officer's performance of any of the
33-41 following law enforcement duties:

33-42 (1) traffic enforcement or traffic control duties,
33-43 including enforcement of traffic laws, investigation of vehicle
33-44 collisions [~~accidents~~], or directing traffic;

33-45 (2) pursuit, arrest, or search of a person reasonably
33-46 believed to have violated a law;

33-47 (3) investigation, including undercover
33-48 investigation, of a criminal act;

33-49 (4) patrol duties, including automobile, bicycle,
33-50 foot, air, or horse patrol;

33-51 (5) duties related to the transfer of prisoners; or

33-52 (6) training duties, including participation in any
33-53 training required by the officer's employer or supervisor or by the
33-54 Texas Commission on Law Enforcement.

33-55 SECTION 126. Section 1001.1015(b), Education Code, is
33-56 amended to read as follows:

33-57 (b) A driver education course under Subsection (a) must:

33-58 (1) provide at least the minimum number of hours of
33-59 classroom instruction required by commission rule; and

33-60 (2) include instruction in:

33-61 (A) alcohol and drug awareness;

33-62 (B) the traffic laws of this state;

33-63 (C) highway signs, signals, and markings that
33-64 regulate, warn, or direct traffic; and

33-65 (D) the issues commonly associated with motor
33-66 vehicle collisions [~~accidents~~], including poor decision-making,
33-67 risk taking, impaired driving, distraction, speed, failure to use a
33-68 safety belt, driving at night, failure to yield the right-of-way,
33-69 and using a wireless communication device while operating a

34-1 vehicle.

34-2 SECTION 127. Section 1001.112(b), Education Code, is
 34-3 amended to read as follows:

34-4 (b) A person is eligible to conduct a driver education
 34-5 course for another person as provided by Subsection (a) if the
 34-6 person:

34-7 (1) is either:

34-8 (A) a parent, stepparent, foster parent, legal
 34-9 guardian, grandparent, or step-grandparent of the other person; or

34-10 (B) an individual who:

34-11 (i) has been designated on a form
 34-12 prescribed by the department for purposes of this section by a
 34-13 parent or legal guardian of the other person or by a judge of a court
 34-14 with jurisdiction over the other person;

34-15 (ii) is at least 25 years of age;

34-16 (iii) does not charge a fee for conducting
 34-17 the course; and

34-18 (iv) has at least seven years of driving
 34-19 experience;

34-20 (2) has possessed a valid license for the preceding
 34-21 three years that has not been suspended, revoked, or forfeited in
 34-22 the past three years for an offense that involves the operation of a
 34-23 motor vehicle;

34-24 (3) has not been convicted of:

34-25 (A) criminally negligent homicide; or

34-26 (B) driving while intoxicated in the past seven
 34-27 years; and

34-28 (4) has not been convicted during the preceding three
 34-29 years of:

34-30 (A) three or more moving violations described by
 34-31 Section 542.304, Transportation Code, including violations that
 34-32 resulted in a collision [~~an accident~~]; or

34-33 (B) two or more moving violations described by
 34-34 Section 542.304, Transportation Code, that resulted in a collision
 34-35 [~~an accident~~].

34-36 SECTION 128. Section 203.007(b), Family Code, is amended to
 34-37 read as follows:

34-38 (b) A domestic relations office is entitled to obtain from
 34-39 the Department of Public Safety records that relate to:

34-40 (1) a person's date of birth;

34-41 (2) a person's most recent address;

34-42 (3) a person's current driver's license status;

34-43 (4) motor vehicle collisions [~~accidents~~] involving a
 34-44 person;

34-45 (5) reported traffic-law violations of which a person
 34-46 has been convicted; and

34-47 (6) a person's criminal history record information.

34-48 SECTION 129. Section 264.513(c), Family Code, is amended to
 34-49 read as follows:

34-50 (c) A person is not required to report a death under this
 34-51 section that is the result of a motor vehicle collision [~~accident~~].
 34-52 This subsection does not affect a duty imposed by another law to
 34-53 report a death that is the result of a motor vehicle collision
 34-54 [~~accident~~].

34-55 SECTION 130. Section 411.019(a), Government Code, is
 34-56 amended to read as follows:

34-57 (a) The department shall provide a 24-hour toll-free
 34-58 telephone number for use by the public in reporting traffic
 34-59 offenses, including driving while intoxicated, suspected criminal
 34-60 activity, and traffic collisions [~~accidents~~] and other
 34-61 emergencies.

34-62 SECTION 131. Section 411.0726(e), Government Code, is
 34-63 amended to read as follows:

34-64 (e) A court may not issue an order of nondisclosure of
 34-65 criminal history record information under this section if the
 34-66 attorney representing the state presents evidence sufficient to the
 34-67 court demonstrating that the commission of the offense for which
 34-68 the order is sought resulted in a motor vehicle collision
 34-69 [~~accident~~] involving another person, including a passenger in a

35-1 motor vehicle operated by the person seeking the order of
35-2 nondisclosure.

35-3 SECTION 132. Section 411.0731(e), Government Code, is
35-4 amended to read as follows:

35-5 (e) A court may not issue an order of nondisclosure of
35-6 criminal history record information under this section if the
35-7 attorney representing the state presents evidence sufficient to the
35-8 court demonstrating that the commission of the offense for which
35-9 the order is sought resulted in a motor vehicle collision
35-10 [~~accident~~] involving another person, including a passenger in a
35-11 motor vehicle operated by the person seeking the order of
35-12 nondisclosure.

35-13 SECTION 133. Section 411.0736(e), Government Code, is
35-14 amended to read as follows:

35-15 (e) A court may not issue an order of nondisclosure of
35-16 criminal history record information under this section if the
35-17 attorney representing the state presents evidence sufficient to the
35-18 court demonstrating that the commission of the offense for which
35-19 the order is sought resulted in a motor vehicle collision
35-20 [~~accident~~] involving another person, including a passenger in a
35-21 motor vehicle operated by the person seeking the order of
35-22 nondisclosure.

35-23 SECTION 134. Section 423.002(a), Government Code, is
35-24 amended to read as follows:

35-25 (a) It is lawful to capture an image using an unmanned
35-26 aircraft in this state:

35-27 (1) for the purpose of professional or scholarly
35-28 research and development or for another academic purpose by a
35-29 person acting on behalf of an institution of higher education or a
35-30 private or independent institution of higher education, as those
35-31 terms are defined by Section 61.003, Education Code, including a
35-32 person who:

35-33 (A) is a professor, employee, or student of the
35-34 institution; or

35-35 (B) is under contract with or otherwise acting
35-36 under the direction or on behalf of the institution;

35-37 (2) in airspace designated as a test site or range
35-38 authorized by the Federal Aviation Administration for the purpose
35-39 of integrating unmanned aircraft systems into the national
35-40 airspace;

35-41 (3) as part of an operation, exercise, or mission of
35-42 any branch of the United States military;

35-43 (4) if the image is captured by a satellite for the
35-44 purposes of mapping;

35-45 (5) if the image is captured by or for an electric or
35-46 natural gas utility or a telecommunications provider:

35-47 (A) for operations and maintenance of utility or
35-48 telecommunications facilities for the purpose of maintaining
35-49 utility or telecommunications system reliability and integrity;

35-50 (B) for inspecting utility or telecommunications
35-51 facilities to determine repair, maintenance, or replacement needs
35-52 during and after construction of such facilities;

35-53 (C) for assessing vegetation growth for the
35-54 purpose of maintaining clearances on utility or telecommunications
35-55 easements; and

35-56 (D) for utility or telecommunications facility
35-57 routing and siting for the purpose of providing utility or
35-58 telecommunications service;

35-59 (6) with the consent of the individual who owns or
35-60 lawfully occupies the real property captured in the image;

35-61 (7) pursuant to a valid search or arrest warrant;

35-62 (8) if the image is captured by a law enforcement
35-63 authority or a person who is under contract with or otherwise acting
35-64 under the direction or on behalf of a law enforcement authority:

35-65 (A) in immediate pursuit of a person law
35-66 enforcement officers have reasonable suspicion or probable cause to
35-67 suspect has committed an offense, not including misdemeanors or
35-68 offenses punishable by a fine only;

35-69 (B) for the purpose of documenting a crime scene

36-1 where an offense, not including misdemeanors or offenses punishable
36-2 by a fine only, has been committed;

36-3 (C) for the purpose of investigating the scene
36-4 of:

36-5 (i) a human fatality;
36-6 (ii) a motor vehicle collision [~~accident~~]
36-7 causing death or serious bodily injury to a person; or
36-8 (iii) any motor vehicle collision
36-9 [~~accident~~] on a state highway or federal interstate or highway;

36-10 (D) in connection with the search for a missing
36-11 person;

36-12 (E) for the purpose of conducting a high-risk
36-13 tactical operation that poses a threat to human life;

36-14 (F) of private property that is generally open to
36-15 the public where the property owner consents to law enforcement
36-16 public safety responsibilities; or

36-17 (G) of real property or a person on real property
36-18 that is within 25 miles of the United States border for the sole
36-19 purpose of ensuring border security;

36-20 (9) if the image is captured by state or local law
36-21 enforcement authorities, or a person who is under contract with or
36-22 otherwise acting under the direction or on behalf of state
36-23 authorities, for the purpose of:

36-24 (A) surveying the scene of a catastrophe or other
36-25 damage to determine whether a state of emergency should be
36-26 declared;

36-27 (B) preserving public safety, protecting
36-28 property, or surveying damage or contamination during a lawfully
36-29 declared state of emergency; or

36-30 (C) conducting routine air quality sampling and
36-31 monitoring, as provided by state or local law;

36-32 (10) at the scene of a spill, or a suspected spill, of
36-33 hazardous materials;

36-34 (11) for the purpose of fire suppression;

36-35 (12) for the purpose of rescuing a person whose life or
36-36 well-being is in imminent danger;

36-37 (13) if the image is captured by a Texas licensed real
36-38 estate broker in connection with the marketing, sale, or financing
36-39 of real property, provided that no individual is identifiable in
36-40 the image;

36-41 (14) from a height no more than eight feet above ground
36-42 level in a public place, if the image was captured without using any
36-43 electronic, mechanical, or other means to amplify the image beyond
36-44 normal human perception;

36-45 (15) of public real property or a person on that
36-46 property;

36-47 (16) if the image is captured by the owner or operator
36-48 of an oil, gas, water, or other pipeline for the purpose of
36-49 inspecting, maintaining, or repairing pipelines or other related
36-50 facilities, and is captured without the intent to conduct
36-51 surveillance on an individual or real property located in this
36-52 state;

36-53 (17) in connection with oil pipeline safety and rig
36-54 protection;

36-55 (18) in connection with port authority surveillance
36-56 and security;

36-57 (19) if the image is captured by a registered
36-58 professional land surveyor in connection with the practice of
36-59 professional surveying, as those terms are defined by Section
36-60 [1071.002](#), Occupations Code, provided that no individual is
36-61 identifiable in the image;

36-62 (20) if the image is captured by a professional
36-63 engineer licensed under Subchapter G, Chapter [1001](#), Occupations
36-64 Code, in connection with the practice of engineering, as defined by
36-65 Section [1001.003](#), Occupations Code, provided that no individual is
36-66 identifiable in the image; or

36-67 (21) if:

36-68 (A) the image is captured by an employee of an
36-69 insurance company or of an affiliate of the company in connection

37-1 with the underwriting of an insurance policy, or the rating or
37-2 adjusting of an insurance claim, regarding real property or a
37-3 structure on real property; and

37-4 (B) the operator of the unmanned aircraft is
37-5 authorized by the Federal Aviation Administration to conduct
37-6 operations within the airspace from which the image is captured.

37-7 SECTION 135. Section 1952.155, Insurance Code, is amended
37-8 to read as follows:

37-9 Sec. 1952.155. BENEFITS PAYABLE WITHOUT REGARD TO FAULT OR
37-10 COLLATERAL SOURCE; EFFECT ON SUBROGATION. (a) The benefits under
37-11 coverage required by this subchapter are payable without regard to:

37-12 (1) the fault or nonfault of the named insured or
37-13 recipient in causing or contributing to the collision [~~accident~~];
37-14 and

37-15 (2) any collateral source of medical, hospital, or
37-16 wage continuation benefits.

37-17 (b) Except as provided by Subsection (c), an insurer paying
37-18 benefits under coverage required by this subchapter does not have a
37-19 right of subrogation or claim against any other person or insurer to
37-20 recover any benefits by reason of the alleged fault of the other
37-21 person in causing or contributing to the collision [~~accident~~].

37-22 (c) An insurer paying benefits pursuant to this subchapter,
37-23 including a county mutual insurance company, shall have a right of
37-24 subrogation and a claim against a person causing or contributing to
37-25 the collision [~~accident~~] if, on the date of loss, financial
37-26 responsibility as required by Chapter 601, Transportation Code, has
37-27 not been established for a motor vehicle involved in the collision
37-28 [~~accident~~] and operated by that person.

37-29 SECTION 136. Section 1954.056(b), Insurance Code, is
37-30 amended to read as follows:

37-31 (b) A transportation network company driver shall carry
37-32 proof of insurance that satisfies Sections 1954.052 and 1954.053
37-33 with the driver when the driver uses a vehicle in connection with a
37-34 transportation network company's digital network. In the event of
37-35 a collision [~~an accident~~], a driver shall provide the proof of
37-36 insurance to a directly interested person, automobile insurer, and
37-37 investigating peace officer on request under Section 601.053,
37-38 Transportation Code. On request, a driver shall also disclose to a
37-39 directly interested person, automobile insurer, and investigating
37-40 peace officer whether, at the time of the collision [~~accident~~], the
37-41 driver was:

37-42 (1) logged on to the company's digital network; or

37-43 (2) engaged in a prearranged ride.

37-44 SECTION 137. Section 2308.002(5-a), Occupations Code, is
37-45 amended to read as follows:

37-46 (5-a) "Incident management tow" means any tow of a
37-47 vehicle in which the tow truck is summoned to the scene of a traffic
37-48 collision [~~accident~~] or to an incident, including the removal of a
37-49 vehicle, commercial cargo, and commercial debris from a collision
37-50 [~~an accident~~] or incident scene.

37-51 SECTION 138. Sections 2308.209(c), (d), and (h),
37-52 Occupations Code, are amended to read as follows:

37-53 (c) The sheriff's office may maintain a list of towing
37-54 companies to perform nonconsent tows of motor vehicles initiated by
37-55 a peace officer investigating a traffic collision [~~accident~~] or a
37-56 traffic incident. The towing companies must operate in a county to
37-57 which this section applies.

37-58 (d) A peace officer initiating a nonconsent tow of a motor
37-59 vehicle involved in a traffic collision [~~accident~~] or traffic
37-60 incident that the officer is investigating shall notify the
37-61 sheriff's office that the tow is being initiated. The sheriff's
37-62 office shall contact successive towing companies on the tow
37-63 rotation list until a company agrees to carry out the tow.

37-64 (h) In a county in which a list is maintained under
37-65 Subsection (c), a person commits an offense if:

37-66 (1) the person arrives at the scene of a traffic
37-67 collision [~~accident~~] or traffic incident to perform a nonconsent
37-68 tow of a motor vehicle without first being contacted by the
37-69 sheriff's office;

38-1 (2) the person directly or indirectly solicits, on
38-2 streets located in the county, towing services, including towing,
38-3 removing, repairing, wrecking, storing, trading, selling, or
38-4 purchasing related to a vehicle that has been damaged in a collision
38-5 [~~an accident~~] to the extent that it cannot be normally and safely
38-6 driven; or

38-7 (3) the person enters the scene of a traffic collision
38-8 [~~accident~~], traffic incident, or other area under the control of a
38-9 peace officer without the permission of the peace officer.

38-10 SECTION 139. The heading to Section 38.18, Penal Code, is
38-11 amended to read as follows:

38-12 Sec. 38.18. USE OF COLLISION [~~ACCIDENT~~] REPORT INFORMATION
38-13 AND OTHER INFORMATION FOR PECUNIARY GAIN.

38-14 SECTION 140. Section 2(4-a), Article 6243g-4, Revised
38-15 Statutes, is amended to read as follows:

38-16 (4-a) "Catastrophic injury" means a sudden, violent,
38-17 life-threatening, duty-related injury sustained by an active
38-18 member that is due to an externally caused motor vehicle collision
38-19 [~~accident~~], gunshot wound, aggravated assault, or other external
38-20 event or events and results, as supported by evidence, in one of the
38-21 following conditions:

38-22 (A) total, complete, and permanent loss of sight
38-23 in one or both eyes;

38-24 (B) total, complete, and permanent loss of the
38-25 use of one or both feet at or above the ankle;

38-26 (C) total, complete, and permanent loss of the
38-27 use of one or both hands at or above the wrist;

38-28 (D) injury to the spine that results in a total,
38-29 permanent, and complete paralysis of both arms, both legs, or one
38-30 arm and one leg; or

38-31 (E) an externally caused physical traumatic
38-32 injury to the brain rendering the member physically or mentally
38-33 unable to perform the member's duties as a police officer.

38-34 SECTION 141. Section 72.051(1), Civil Practice and Remedies
38-35 Code, is repealed.

38-36 SECTION 142. The changes in law made by this Act are
38-37 nonsubstantive and are intended to clarify rather than change
38-38 existing law.

38-39 SECTION 143. To the extent of any conflict, this Act
38-40 prevails over another Act of the 88th Legislature, Regular Session,
38-41 2023, relating to nonsubstantive additions to and corrections in
38-42 enacted codes.

38-43 SECTION 144. This Act takes effect September 1, 2023.

38-44 * * * * *