

By: Anchía, Guillen, Frazier, et al.

H.B. No. 2564

A BILL TO BE ENTITLED

AN ACT

relating to the investigation of certain motor vehicle accidents.

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

SECTION 1. The heading to Section 550.041, Transportation Code, is amended to read as follows:

Sec. 550.041. INVESTIGATION BY PEACE OFFICER OR EMPLOYEE OF LAW ENFORCEMENT AGENCY.

SECTION 2. Section 550.041, Transportation Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) A peace officer who is notified of a motor vehicle accident resulting in injury to or death of a person or property damage to an apparent extent of at least \$5,000 [~~\$1,000~~] may investigate the accident and file justifiable charges relating to the accident without regard to whether the accident occurred on property to which this chapter applies.

(c) An employee of a law enforcement agency who is not a peace officer and who has successfully completed a training program on investigating motor vehicle accidents that satisfies the applicable requirements of Section 1701.253, Occupations Code, may investigate a motor vehicle accident, without regard to whether the accident occurred on property to which this chapter applies, if:

(1) no offense was committed during the accident other than a misdemeanor punishable by fine only;

1           (2) no injury or death of a person occurred as a result  
2 of the accident; and

3           (3) any property damage that resulted from the  
4 accident was to an apparent extent of less than \$5,000.

5           SECTION 3. The heading to Section 550.062, Transportation  
6 Code, is amended to read as follows:

7           Sec. 550.062. OFFICER'S OR LAW ENFORCEMENT AGENCY  
8 EMPLOYEE'S ACCIDENT REPORT.

9           SECTION 4. Section 550.062, Transportation Code, is amended  
10 to read as follows:

11           Sec. 550.062. OFFICER'S ACCIDENT REPORT. (a) A law  
12 enforcement officer who in the regular course of duty investigates  
13 a motor vehicle accident shall make a written report of the accident  
14 if the accident resulted in injury to or the death of a person or  
15 damage to the property of any one person to the apparent extent of  
16 \$5,000 [~~\$1,000~~] or more.

17           (a-1) An employee of a law enforcement agency who is not a  
18 peace officer and who investigates a motor vehicle accident in  
19 accordance with Section 550.041(c) shall make a written report  
20 summarizing the findings of the investigation.

21           (b) The report required by Subsection (a) or (a-1) must be  
22 filed electronically with the department not later than the 10th  
23 day after the date of the accident.

24           (b-1) If the motor vehicle accident involved a combination  
25 of vehicles operating under a permit issued under Section 623.402,  
26 the report required by Subsection (a) or (a-1) must include the  
27 weight and the number of axles of the vehicle combination.

1           (c) This section applies without regard to whether the  
2 officer or law enforcement agency employee, as applicable,  
3 investigates the accident at the location of the accident and  
4 immediately after the accident or afterwards by interviewing those  
5 involved in the accident or witnesses to the accident.

6           SECTION 5. This Act takes effect September 1, 2023.