

BILL ANALYSIS

H.B. 1118
By: Eiland
Transportation
Committee Report (Amended)

BACKGROUND AND PURPOSE

Currently Texas law makes it an offense for a person to operate an open bed pickup truck, an open flatbed truck, or an open flatbed trailer when a child younger than 18 years of age is occupying the bed of the truck or trailer. It does not however create an offense for a person operating a motor vehicle with a person riding in a boat or personal watercraft being drawn by the vehicle. In parts of Texas where tourists are rampant around boating season, nearly 5000 accidents were reported involving a motor vehicle drawn trailer.

As proposed, HB 1118 makes it an offense for any person operating a motor vehicle while towing a boat or personal watercraft to allow passengers to occupy the boat or watercraft while the motor vehicle is on a roadway.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Subchapter I, Chapter 545 by adding Section 545.4145 to the Transportation Code. This section sets forth an offense for a person operating a motor vehicle on a roadway when another person occupies a boat or personal watercraft being drawn by the motor vehicle unless it is in a parade or an emergency. In this section "Boat" and "watercraft" have the meaning assigned by Section 31.003 of the Parks and Wildlife Code.

EFFECTIVE DATE

September 1, 2005.

EXPLANATION OF AMENDMENTS

Committee Amendment #1 allows a defense to prosecution to those who are riding in a boat while trying to launch or retrieve the boat from a body of water.