

BILL ANALYSIS

H.B. 1249
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Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, road rage on our highways and thoroughfares have resulted in numerous automobile accidents and deaths. In 1996, Texas was ranked 15th in the number of deaths resulting from road rage. This aggressive behavior is a dangerous killer on our nation's highways. The National Highway Transportation Safety Administration estimates that aggressive driving has caused 2.28 million accidents and 27,935 deaths in the past five years.

H.B. 1249 amends the Code of Criminal Procedure by making an offense of aggressive driving which results in death, a third degree felony.

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

House Bill 1249 amends the Code of Criminal Procedure to require a judge in a trial regarding aggressive driving to make an affirmative finding of fact and enter such finding in the judgment of the case if the judge determines the defendant was engaged in aggressive driving. The bill also makes the offense of aggressive driving which results in the death of a person by criminal negligence, a third degree felony, under Section 19.05, Penal Code.

EFFECTIVE DATE

September 1, 2005.