

## **BILL ANALYSIS**

H.B. 2136  
By: Phillips  
Transportation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Over the years, penalties and fees for operating a motor vehicle or vessel in violation of the law have been enacted by the legislature in a piecemeal way such that there is little uniformity or consistency across the various statutes. HB 2136 would provide uniformity to these penalties and fines.

### **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 §502.407(b), Transportation Code to increase the maximum administrative fee allowed under the section from \$10 to \$25.
- SECTION 2. Amends §521.025, Transportation Code to allow the court to assess an administrative fee not to exceed \$25 if a charge under the section is dismissed because the person charged presented the court with the person's valid drivers license.
- SECTION 3. Amends §521.026(b), Transportation Code to increase the maximum administrative fee allowed under the section from \$10 to \$25.
- SECTION 4. Amends §521.054, Transportation Code to dismiss a charge for violation of the requirement to notify the department of the person's change of address if the person remedies the defect within 10 days and pays an administrative fee not to exceed \$25.
- SECTION 5. Amends §542.301(b), Transportation Code to clarify that an offense under this subtitle is a Class C misdemeanor.
- SECTION 6. Amends §545.412(b), Transportation Code to change the fine from a range of \$100 to \$200 to a range of \$1 to \$500.
- SECTION 7. Amends §545.413(d), Transportation Code to apply a fine range of \$1 to \$500 to offenses under the section rather than separate fine ranges for offenses under subsection (a) and subsection (b).
- SECTION 8. Amends §548.605(b), Transportation Code to increase the maximum administrative fee allowed under the section from \$10 to \$25.
- SECTION 9. Amends §31.127, Parks and Wildlife Code by amending Subsection (c) and adding Subsection (f). This change allows the court to dismiss a charge of operating a vessel with an expired certificate of number if the certificate has not been expired for more than 60 days and the defendant remedies the defect within 10 days and pays a fine of up to \$25.
- SECTION 10. Repeals §542.401, Transportation Code

SECTION 11. Provides that the changes made by this Act apply only to an offense committed on or after the effective date.

SECTION 12. Effective Date. September 1, 2005

**EFFECTIVE DATE**

September 1, 2005.