

By: Leibowitz

H.B. No. 891

A BILL TO BE ENTITLED

AN ACT

relating to motor vehicle airbags.

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

SECTION 1. Subchapter D, Chapter 501, Transportation Code, is amended by adding Section 501.0721 to read as follows:

Sec. 501.0721. AIRBAG DISCLOSURE STATEMENT. The seller of a motor vehicle sold in this state shall provide to the buyer a written statement disclosing whether, while the seller owned the vehicle:

(1) an airbag on the vehicle deployed; and

(2) if an airbag on the vehicle deployed, whether the airbag was replaced in accordance with the vehicle manufacturer's requirements and specifications.

SECTION 2. Section 547.614, Transportation Code, is amended by amending Subsection (b) and adding Subsections (c) and (d) to read as follows:

(b) Except as provided by Subsections (c) and (d), an [An] offense under this section is a Class A misdemeanor.

(c) An offense under this section is a felony of the third degree if it is shown on the trial of the offense that the defendant has been previously convicted of an offense under this section.

(d) An offense under this section is a felony of the second degree if it is shown on the trial of the offense that as a result of the offense an individual suffered bodily injury.

1 SECTION 3. Section 2301.651, Occupations Code, is amended  
2 by adding Subsection (e) to read as follows:

3 (e) The board shall suspend for five years the license of a  
4 license holder who is convicted of:

5 (1) a third or subsequent offense under Section  
6 547.614, Transportation Code; or

7 (2) an offense under Section 547.614, Transportation  
8 Code, that resulted in bodily injury to an individual.

9 SECTION 4. (a) The change in law made by this Act applies  
10 only to an offense committed on or after the effective date of this  
11 Act. For the purposes of this section, an offense is committed  
12 before the effective date of this Act if any element of the offense  
13 occurs before that date.

14 (b) An offense committed before the effective date of this  
15 Act is governed by the law in effect when the offense was committed,  
16 and the former law is continued in effect for that purpose.

17 SECTION 5. This Act takes effect September 1, 2005.