

By: Brown of Brazos

H.B. No. 1898

Substitute the following for H.B. No. 1898:

By: Casteel

C.S.H.B. No. 1898

A BILL TO BE ENTITLED

AN ACT

1
2 relating to offenses involving use of safety belts or a child
3 passenger safety seat.

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

5 SECTION 1. Section 45.0511, Code of Criminal Procedure, is
6 amended by adding Subsection (u) to read as follows:

7 (u) The requirement of Subsection (b)(2) does not apply to a
8 defendant charged with an offense under Section 545.412,
9 Transportation Code, if the judge requires the defendant to attend
10 and present proof that the defendant has successfully completed a
11 specialized driving safety course that includes four hours of
12 instruction that encourages the use of child passenger safety seat
13 systems, and any driving safety course taken by the defendant under
14 this section within the 12 months preceding the date of the offense
15 did not include that training. The person's driving record under
16 Subsection (c)(2) and the affidavit of the defendant under
17 Subsection (c)(3) is required to include only previous or
18 concurrent courses that included that training.

19 SECTION 2. Section 708.052, Transportation Code, is amended
20 by adding Subsection (f) to read as follows:

21 (f) For the purposes of this section, an offense under
22 Section 545.412 is a moving violation of a traffic law.

23 SECTION 3. (a) The change in law made by this Act applies
24 only to an offense committed on or after the effective date of this

1 Act. For the purposes of this section, an offense is committed
2 before the effective date of this Act if any element of the offense
3 occurs before that date.

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

7 SECTION 4. This Act takes effect September 1, 2005.