

BILL ANALYSIS

H.B. 1176
By: Smithee
Committee on Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

As currently prescribed, Section 721.005 of Texas Transportation Code does not include municipal fire marshal or arson investigator motor vehicles within the list of automobiles which may be exempted from the inscription requirements set out by the governing body of a municipality, as described in Section 721.004.

The vehicles used by municipal fire marshals and arson investigators are tools necessary for the performance of job responsibilities which are essentially the same as those performed by police department detectives and county fire marshal's offices. The justification for exemption from the inscription requirements for those vehicles should be considered applicable to the vehicles used by municipal fire marshals or arson investigators.

A significant number of municipal fire marshal's offices and arson investigator vehicles across the State have operated for many years without the inscription as required by Sec. 721.004. These unmarked law enforcement vehicles are utilized by State of Texas licensed peace officers in the performance of their official duties including the criminal investigation of felony offenses occurring within their respective jurisdictions. The marking of these vehicles may very well hinder the apprehension and/or timely prosecution of criminals in numerous cases across the State.

House Bill No. 1176 amends Section 721.005 (a) of the Transportation Code by adding municipal fire marshals or arson investigators to the list of automobiles which may be exempted from the inscription requirements set out by the governing body of a municipality, as described in Section 721.004.

RULEMAKING AUTHORITY

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

SECTION-BY-SECTION ANALYSIS

SECTION 1: Would amend Section 721.005 (a) of the Transportation Code, as amended by Chapters 66 and 140, Acts of the 77th Legislature, Regular Session, 2001, by adding "municipal fire marshal or arson investigator" to the list of automobiles which may be exempted from inscription by the governing body of a municipality under Section 721.004.

SECTION 2: Effective Date

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary votes for immediate effect, the Act takes effect September 1, 2007.