

BILL ANALYSIS

H.B. 2907
By: Gattis
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

There are multiple ways to establish financial responsibility for a motor vehicle under Section 601.051, Transportation Code, yet there are many drivers on the Texas roads driving without it. By their failure to obtain and maintain motor vehicle liability insurance (as required by the Motor Vehicle Safety Responsibility Act, Chapter 601, Transportation Code), these uninsured drivers have caused and continue to cause much economic harm to the law-abiding motorists and others, including the State of Texas, when the uninsured driver's negligent operation results in a motor vehicle collision.

The Texas Department of Public Safety estimates that in 2001 roughly one out of five Texas drivers failed to meet the state's financial responsibility requirements. Information collected in 2001 as a result of vehicle accidents indicated that 16 percent of motorists were uninsured. This figure reveals that more needs to be done to deter uninsured operation of a vehicle. A collision where all parties are insured is traumatic enough, this trauma does not need to be compounded by an uninsured driver. As proposed, House Bill 2907 increases the penalties for driving without the statutorily required financial responsibility.

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 Sections 601.191(b) and (c), Transportation Code, as follows:

- (b) Except as provided by Subsection (c), an offense under this section is a Class C misdemeanor.
- (c) If it is shown on trial of an offense under this section that the defendant has been previously convicted of an offense under this section or that the defendant was operating a motor vehicle in violation of Section 601.051 at the time the defendant caused a motor vehicle accident, an offense under this section is a Class B misdemeanor.

SECTION 2. Amends Section 601.195(b), Transportation Code, as follows:

- (b) An offense under this section is a misdemeanor punishable by:
 - (1) a fine not to exceed \$2,000;
 - (2) confinement in county jail for a term not to exceed six months; or
 - (3) both the fine and the confinement.

SECTION 3. Repeals Section 601.191(d), Transportation Code.

SECTION 4. Provides that the change in law made by this Act applies only to an offense committed on or after the effective date of this Act. Provides that for the purposes of this section, an offense is committed before the effective date of this Act if any element of the offense occurs before that date. Provides that an offense committed before the effective date of this Act is governed by the law in effect when the offense was committed, and the former law is continued in effect for that purpose.

SECTION 5. Provides that this Act takes effect September 1, 2007.

EFFECTIVE DATE

September 1, 2007.

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