

BILL ANALYSIS

Senate Research Center

S.B. 766
By: Ogden
Transportation & Homeland Security
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Crash Records Bureau (bureau), under the authority of the Department of Public Safety of the State of Texas (DPS), is charged with the responsibility of maintaining motor vehicle traffic accident reports, classifying accidents, collecting data from each accident report, and entering the information in to the Crash Records Information System. The purpose of the bureau is to maintain and provide accident data to the public and to the Texas Department of Transportation (TxDOT). TxDOT uses this data for state project planning and prioritization, evaluation of highway and railroad crossing safety, safe conditions on roadways, the effectiveness of safety programs, and to obtain funding to improve highway safety. TxDOT is the largest user of the bureau data, comprising more than 80 percent of the bureau's current workload. In July 2006, DPS proposed transferring responsibility for the accident records function to TxDOT, along with transferring 86 full-time employees.

S.B. 766 transfers the accident records function from DPS to TxDOT.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter J, Chapter 201, Transportation Code, by adding Section 201.805, as follows:

Sec. 201.805. ACCIDENT REPORTS. (a) Requires the Texas Department of Transportation (TxDOT) to tabulate and analyze the vehicle accident reports it receives, annually or more frequently publish certain statistical information derived from the accident reports, and provide to the governor and legislature not later than December 15th an abstract of the statistical information for the biennium ending on the preceding August 31 and a report with TxDOT's conclusions, findings, and recommendations for decreasing highway accidents and increasing highway safety.

(b) Requires TxDOT to provide electronic access to the system containing the accident reports so that the Department of Public Safety of the State of Texas (DPS) can perform its duties, including the duty to make timely entries on driver records.

SECTION 2. Amends Subchapter D, Chapter 550, Transportation Code, by adding Section 550.0601, to define "department."

SECTION 3. Amends Section 550.063, Transportation Code, as follows:

Sec. 550.063. REPORT ON APPROPRIATE FORM. Requires the form of all written accident reports to be approved by TxDOT and DPS. Deletes existing text that states that the appropriate form that a person who is required to file a written accident report is required to report on to be approved by DPS.

SECTION 4. Amends Section 550.081, Transportation Code, as follows:

Sec. 550.081. CORONER'S REPORT. Requires a coroner or other officer performing similar functions, not later than the 10th day of each month, to report in writing to TxDOT, rather than DPS, the death of a person within the officer's jurisdiction during the preceding calendar month as the result of a traffic accident.

SECTION 5. Amends Sections 601.004(a), (c), and (d), Transportation Code, as follows:

(a) Requires the operator of a motor vehicle that is involved in an accident in this state to report certain accidents to TxDOT, rather than DPS, not later than the 10th date of the accident.

(c) Requires the report to be made in writing in the form prescribed by TxDOT and DPS.

(d) Provides that a written report of an accident made to TxDOT, rather than DPS, under Section 550.061 (Operators Accident Report) or Section 550.062 (Officers Accident Report) complies with this section if that report contains the information required by this section.

SECTION 6. Repealer: Section 411.0175 (regarding DPS' required duty to tabulate and analyze the vehicle accident reports it receives), Government Code.

SECTION 7. (a)(1) Provides that all duties, obligations, rights, contracts, records, assets, funds, and property, excluding real property and office space, of DPS that relate primarily to the collection, tabulation, analysis, and maintenance of accident reports and records are transferred to TxDOT on October 1, 2007.

(2) Transfers all appropriations that relate primarily to the collection, tabulation, analysis, and maintenance of accident reports and records to TxDOT.

(3) Provides that all rules, policies, forms, procedures, and decisions of DPS that relate primarily to collection, tabulation, analysis, and maintenance of accident reports and records on October 1, 2007, are continued in effect as rules, policies, forms, procedures, and decisions of TxDOT until superseded by a rule or other appropriate action of the Texas Transportation Commission or appropriate action of TxDOT.

(4) Provides that 86 of the full-time employees of DPS who primarily perform duties related to the collection, tabulation, analysis, and maintenance of the accident reports and records, including certain experienced and expert employees, become employees of TxDOT on October 1, 2007.

(b) Requires DPS to enter into a memorandum of understanding with TxDOT not later than September 21, 2007, to implement this section.

SECTION 8. Effective date: September 1, 2007.