

By: Berman

H.B. No. 489

Substitute the following for H.B. No. 489:

By: Driver

C.S.H.B. No. 489

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the duty of a passenger involved in certain accidents to  
3 render aid.

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

5 SECTION 1. Section 550.021, Transportation Code, is amended  
6 by amending Subsection (a) and adding Subsections (b-1), (b-2), and  
7 (d) to read as follows:

8 (a) The operator of a vehicle involved in an accident  
9 resulting in injury to or death of a person shall:

10 (1) immediately stop the vehicle at the scene of the  
11 accident or as close to the scene as possible;

12 (2) immediately return to the scene of the accident if  
13 the vehicle is not stopped at the scene of the accident; and

14 (3) remain at the scene of the accident until the  
15 operator complies with the requirements of Section 550.023(a).

16 (b-1) Except as provided by Subsection (b-2), the passenger  
17 of a vehicle involved in an accident resulting in injury to or death  
18 of a person shall remain at the scene of the accident until the  
19 passenger complies with the requirements of Section 550.023(b).

20 (b-2) If the passenger of a vehicle involved in an accident  
21 resulting in injury to or death of a person is unable to remain at  
22 the scene due to the actions of the operator of the vehicle involved  
23 in an accident, the passenger shall:

24 (1) report the accident to emergency medical services

1 personnel and a law enforcement agency as soon as the passenger can  
2 make the report without placing the passenger in danger of  
3 suffering serious bodily injury or death; and

4 (2) provide emergency medical services personnel and  
5 the law enforcement agency with:

6 (A) the passenger's name, address, phone number,  
7 and driver's license number or personal identification certificate  
8 number;

9 (B) the name, address, and phone number of the  
10 operator, if known;

11 (C) the location of the accident;

12 (D) the location of the passenger; and

13 (E) the location of the operator, if known.

14 (d) Subsections (b-1) and (b-2) do not apply to a passenger  
15 who is younger than 17 years of age.

16 SECTION 2. Section 550.022, Transportation Code, is amended  
17 by adding Subsections (b-1), (b-2), (c-2), and (e) to read as  
18 follows:

19 (b-1) Except as provided by Subsection (b-2), the passenger  
20 of a vehicle involved in an accident resulting only in damage to a  
21 vehicle that is driven or attended by a person shall remain at the  
22 scene of the accident until the passenger complies with the  
23 requirements of Section 550.023(b).

24 (b-2) If the passenger of a vehicle involved in an accident  
25 resulting only in damage to a vehicle that is driven or attended by  
26 a person is unable to remain at the scene due to the actions of the  
27 operator of the vehicle involved in an accident, the passenger

1 shall:

2 (1) report the accident to a law enforcement agency as  
3 soon as the passenger can make the report without placing the  
4 passenger in danger of suffering serious bodily injury or death;  
5 and

6 (2) provide the law enforcement agency with:

7 (A) the passenger's name, address, phone number,  
8 and driver's license number or personal identification certificate  
9 number;

10 (B) the name, address, and phone number of the  
11 operator, if known;

12 (C) the location of the accident;

13 (D) the location of the passenger; and

14 (E) the location of the operator, if known.

15 (c-2) A passenger commits an offense if the passenger does  
16 not stop or does not comply with the requirements of Subsection  
17 (b-2). An offense under this subsection is:

18 (1) a Class C misdemeanor, if the damage to all  
19 vehicles is less than \$200; or

20 (2) a Class B misdemeanor, if the damage to all  
21 vehicles is \$200 or more.

22 (e) Subsections (b-1), (b-2), and (c-2) do not apply to a  
23 passenger who is younger than 17 years of age.

24 SECTION 3. Section 550.023, Transportation Code, is amended  
25 to read as follows:

26 Sec. 550.023. DUTY TO GIVE INFORMATION AND RENDER AID. (a)

27 The operator of a vehicle involved in an accident resulting in the

1 injury or death of a person or damage to a vehicle that is driven or  
2 attended by a person shall:

3 (1) give the operator's name and address, the  
4 registration number of the vehicle the operator was driving, and  
5 the name of the operator's motor vehicle liability insurer to any  
6 person injured or the operator or occupant of or person attending a  
7 vehicle involved in the collision;

8 (2) if requested and available, show the operator's  
9 driver's license to a person described by Subdivision (1); and

10 (3) provide any person injured in the accident  
11 reasonable assistance, including transporting or making  
12 arrangements for transporting the person to a physician or hospital  
13 for medical treatment if it is apparent that treatment is  
14 necessary, or if the injured person requests the transportation.

15 (b) The passenger of a vehicle involved in an accident  
16 resulting in the injury to or death of a person or damage to a  
17 vehicle that is driven or attended by a person shall:

18 (1) give the passenger's name and address to the person  
19 injured or the operator or occupant of or person attending a vehicle  
20 involved in the collision;

21 (2) give the name and address of the operator, if  
22 known, to the person injured or the operator or occupant of or  
23 person attending a vehicle involved in the collision;

24 (3) if requested and available, show the passenger's  
25 driver's license or personal identification certificate to a person  
26 described by Subdivision (1); and

27 (4) provide any person injured in the accident

1 reasonable assistance, including transporting or making  
2 arrangements for transporting the person to a physician or hospital  
3 for medical treatment if it is apparent that treatment is  
4 necessary, or if the injured person requests the transportation.

5 (c) Subsection (b) does not apply to a passenger who is  
6 younger than 17 years of age.

7 SECTION 4. This Act takes effect September 1, 2007.