

By: Hancock

H.B. No. 1538

A BILL TO BE ENTITLED

AN ACT

relating to operating a motor vehicle without establishing financial responsibility; providing a penalty.

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

SECTION 1. Section 521.341, Transportation Code, is amended to read as follows:

Sec. 521.341. REQUIREMENTS FOR AUTOMATIC LICENSE SUSPENSION. Except as provided by Sections 521.344(d)-(i), a license is automatically suspended on final conviction of the license holder of:

(1) an offense under Section 19.05, Penal Code, committed as a result of the holder's criminally negligent operation of a motor vehicle;

(2) an offense under Section 38.04, Penal Code, if the holder used a motor vehicle in the commission of the offense;

(3) an offense under Section 49.04 or 49.08, Penal Code;

(4) an offense under Section 49.07, Penal Code, if the holder used a motor vehicle in the commission of the offense;

(5) an offense punishable as a felony under the motor vehicle laws of this state;

(6) an offense under Section 550.021; ~~[or]~~

(7) an offense under Section 521.451 or 521.453; or

(8) an offense under Section 601.191(d).

1 SECTION 2. Section 601.191, Transportation Code, is amended  
2 by amending Subsections (c) and (d) and adding Subsection (e) to  
3 read as follows:

4 (c) If a person has been previously convicted of an offense  
5 under this section, a second [an] offense under this section is a  
6 misdemeanor punishable by a fine of not less than \$500 [~~\$350~~ or  
7 more than \$1,500 [~~\$1,000~~]. The court may order the suspension of the  
8 driver's license of a person convicted under this subsection for a  
9 period not to exceed 180 days from the date of final conviction.

10 (d) If a person has been previously convicted of an offense  
11 under this section, a third or subsequent offense under this  
12 section is a misdemeanor punishable by a fine of not less than \$750  
13 or more than \$1,500 [~~the court determines that a person who has not~~  
14 ~~been previously convicted of an offense under this section is~~  
15 ~~economically unable to pay the fine, the court may reduce the fine~~  
16 ~~to less than \$175].~~

17 (e) The court may dismiss a charge of an offense under this  
18 section involving a violation of Section 601.051 if the defendant  
19 presents proof satisfactory to the court that the defendant  
20 remedied the defect within 20 working days after the date of the  
21 offense or before the defendant's first court appearance date,  
22 whichever is later.

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  
25 Act. For purposes of this section, an offense is committed before  
26 the effective date of this Act if any element of the offense occurs  
27 before that date.

1           (b) An offense committed before the effective date of this  
2 Act is covered by the law in effect when the offense was committed,  
3 and the former law is continued in effect for that purpose.

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