

By: Driver

H.B. No. 1765

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the responsibility of an employer in relation to a
3 person who drives a commercial motor vehicle; providing a criminal
4 penalty.

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

6 SECTION 1. Section 522.072, Transportation Code, is amended
7 by amending Subsection (a) and adding Subsections (b-1) and (d) to
8 read as follows:

9 (a) An employer may not knowingly permit a person to drive a
10 commercial motor vehicle during a period in which:

11 (1) the person:

12 (A) [~~(1)~~] has been denied the privilege of
13 driving a commercial motor vehicle;

14 (B) [~~(2)~~] is disqualified from driving a
15 commercial motor vehicle;

16 (C) [~~(3)~~] is subject to an out-of-service order
17 in a state; or

18 (D) [~~(4)~~] has more than one commercial driver's
19 license, except during the 10-day period beginning on the date the
20 person is issued a driver's license; or

21 (2) the employer is subject to an out-of-service order
22 that affects the driver or the vehicle.

23 (b-1) An employer who violates Subsection (a) or (b) commits
24 an offense. An offense under this subsection is a Class B

1 misdemeanor.

2 (d) For purposes of Subsections (a)(1)(C) and (2),
3 "commercial motor vehicle" has the meaning assigned by Section
4 644.001.

5 SECTION 2. The change in law made by this Act applies only
6 to an offense committed on or after the effective date of this Act.
7 An offense committed before the effective date of this Act is
8 governed by the law in effect when the offense was committed, and
9 the former law is continued in effect for that purpose. For
10 purposes of this section, an offense was committed before the
11 effective date of this Act if any element of the offense was
12 committed before that date.

13 SECTION 3. This Act takes effect September 1, 2007.