

By: Martinez Fischer

H.B. No. 1798

Substitute the following for H.B. No. 1798:

By: Murphy

C.S.H.B. No. 1798

A BILL TO BE ENTITLED

AN ACT

relating to the criminal consequences of driving a motor vehicle on certain designated right-of-way of a metropolitan rapid transit authority.

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

SECTION 1. Subchapter C, Chapter 451, Transportation Code, is amended by adding Section 451.113 to read as follows:

Sec. 451.113. DRIVING ON CERTAIN AUTHORITY RIGHT-OF-WAY; PENALTY. (a) A person commits an offense if, as the operator of a motor vehicle, the person drives on a designated right-of-way of an authority that is used in connection with a motor bus rapid transit system.

(b) It is an exception to the application of Subsection (a) that the person:

(1) was driving a motor vehicle owned or under the control of the authority and was authorized to drive the vehicle on the designated right-of-way; or

(2) was driving an authorized emergency vehicle, as defined by Section 541.201, and responding to a call.

(c) Subsection (a) may be enforced by any peace officer listed in Article 2.12, Code of Criminal Procedure, in whose jurisdiction the offense is committed.

(d) An offense under this section is a Class C misdemeanor.

SECTION 2. This Act takes effect September 1, 2007.