

1-1 By: Martinez Fischer (Senate Sponsor - Uresti) H.B. No. 1798
1-2 (In the Senate - Received from the House April 16, 2007;
1-3 April 17, 2007, read first time and referred to Committee on
1-4 Transportation and Homeland Security; May 16, 2007, reported
1-5 favorably by the following vote: Yeas 8, Nays 0; May 16, 2007,
1-6 sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the criminal consequences of driving a motor vehicle on
1-10 certain designated right-of-way of a metropolitan rapid transit
1-11 authority.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter C, Chapter 451, Transportation Code,
1-14 is amended by adding Section 451.113 to read as follows:

1-15 Sec. 451.113. DRIVING ON CERTAIN AUTHORITY RIGHT-OF-WAY;
1-16 PENALTY. (a) A person commits an offense if, as the operator of a
1-17 motor vehicle, the person drives on a designated right-of-way of an
1-18 authority that is used in connection with a motor bus rapid transit
1-19 system.

1-20 (b) It is an exception to the application of Subsection (a)
1-21 that the person:

1-22 (1) was driving a motor vehicle owned or under the
1-23 control of the authority and was authorized to drive the vehicle on
1-24 the designated right-of-way; or

1-25 (2) was driving an authorized emergency vehicle, as
1-26 defined by Section 541.201, and responding to a call.

1-27 (c) Subsection (a) may be enforced by any peace officer
1-28 listed in Article 2.12, Code of Criminal Procedure, in whose
1-29 jurisdiction the offense is committed.

1-30 (d) An offense under this section is a Class C misdemeanor.

1-31 SECTION 2. This Act takes effect September 1, 2007.

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