

1-1 By: Carona S.B. No. 332  
1-2 (In the Senate - Filed January 26, 2007; February 14, 2007,  
1-3 read first time and referred to Committee on Transportation and  
1-4 Homeland Security; February 26, 2007, reported favorably by the  
1-5 following vote: Yeas 8, Nays 0; February 26, 2007, sent to  
1-6 printer.)

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

1-9 relating to the responsibility of an employer in relation to a  
1-10 person who drives a commercial motor vehicle; providing a criminal  
1-11 penalty.

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

1-13 SECTION 1. Section 522.072, Transportation Code, is amended  
1-14 by amending Subsection (a) and adding Subsections (b-1) and (d) to  
1-15 read as follows:

1-16 (a) An employer may not knowingly permit a person to drive a  
1-17 commercial motor vehicle during a period in which:

1-18 (1) the person:

1-19 (A) [~~(1)~~] has been denied the privilege of  
1-20 driving a commercial motor vehicle;

1-21 (B) [~~(2)~~] is disqualified from driving a  
1-22 commercial motor vehicle;

1-23 (C) [~~(3)~~] is subject to an out-of-service order  
1-24 in a state; or

1-25 (D) [~~(4)~~] has more than one commercial driver's  
1-26 license, except during the 10-day period beginning on the date the  
1-27 person is issued a driver's license; or

1-28 (2) the employer is subject to an out-of-service order  
1-29 that affects the driver or the vehicle.

1-30 (b-1) An employer who violates Subsection (a) or (b) commits  
1-31 an offense. An offense under this subsection is a Class B  
1-32 misdemeanor.

1-33 (d) For purposes of Subsections (a)(1)(C) and (a)(2),  
1-34 "commercial motor vehicle" has the meaning assigned by Section  
1-35 644.001.

1-36 SECTION 2. The change in law made by this Act applies only  
1-37 to an offense committed on or after the effective date of this Act.  
1-38 An offense committed before the effective date of this Act is  
1-39 governed by the law in effect when the offense was committed, and  
1-40 the former law is continued in effect for that purpose. For  
1-41 purposes of this section, an offense was committed before the  
1-42 effective date of this Act if any element of the offense was  
1-43 committed before that date.

1-44 SECTION 3. This Act takes effect September 1, 2007.

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