

By: Carona

S.B. No. 333

A BILL TO BE ENTITLED

AN ACT

relating to driving a commercial motor vehicle in violation of an out-of-service order; providing a criminal penalty.

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

SECTION 1. Section 522.071, Transportation Code, is amended by amending Subsection (a) and adding Subsection (e) to read as follows:

(a) A person commits an offense if the person drives a commercial motor vehicle on a highway:

(1) after the person has been denied the issuance of a license, unless the person has a driver's license appropriate for the class of vehicle being driven that was subsequently issued;

(2) during a period that a disqualification of the person's driver's license or privilege is in effect;

(3) while the person's driver's license is expired, if the license expired during a period of disqualification;

(4) during a period that the person was subject to an order prohibiting the person from obtaining a driver's license; or

(5) in violation of [~~during a period in which the person is subject to~~] an out-of-service order.

(e) For the purposes of Subsection (a)(5), "commercial motor vehicle" has the meaning assigned by Section 644.001.

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An

1 offense committed before the effective date of this Act is governed
2 by the law in effect when the offense was committed, and the former
3 law is continued in effect for that purpose. For purposes of this
4 section, an offense was committed before the effective date of this
5 Act if any element of the offense was committed before that date.

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