

1-1 By: Carona S.B. No. 333
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 driving a commercial motor vehicle in violation of an
1-10 out-of-service order; providing a criminal penalty.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 522.071, Transportation Code, is amended
1-13 by amending Subsection (a) and adding Subsection (e) to read as
1-14 follows:

1-15 (a) A person commits an offense if the person drives a
1-16 commercial motor vehicle on a highway:

1-17 (1) after the person has been denied the issuance of a
1-18 license, unless the person has a driver's license appropriate for
1-19 the class of vehicle being driven that was subsequently issued;

1-20 (2) during a period that a disqualification of the
1-21 person's driver's license or privilege is in effect;

1-22 (3) while the person's driver's license is expired, if
1-23 the license expired during a period of disqualification;

1-24 (4) during a period that the person was subject to an
1-25 order prohibiting the person from obtaining a driver's license; or

1-26 (5) in violation of [~~during a period in which the~~
1-27 ~~person is subject to~~] an out-of-service order.

1-28 (e) For the purposes of Subsection (a)(5), "commercial
1-29 motor vehicle" has the meaning assigned by Section 644.001.

1-30 SECTION 2. The change in law made by this Act applies only
1-31 to an offense committed on or after the effective date of this Act.
1-32 An offense committed before the effective date of this Act is
1-33 governed by the law in effect when the offense was committed, and
1-34 the former law is continued in effect for that purpose. For
1-35 purposes of this section, an offense was committed before the
1-36 effective date of this Act if any element of the offense was
1-37 committed before that date.

1-38 SECTION 3. This Act takes effect September 1, 2007.

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