

BILL ANALYSIS

H.B. 548
By: Pickett
Transportation
Committee Report (Amended)

BACKGROUND AND PURPOSE

According to the U.S. Department of Transportation, excessive speed caused or contributed to 31 percent of fatal accidents in 2007, resulting in the loss of more than 13,000 lives. Speeding is a problem because it reduces the driver's control over the vehicle and makes it harder to react in time to hazards. Higher speeds translate to greater force in a crash, raising the likelihood of serious injury or death. Unfortunately, enforcement of criminal laws against street racing is inconsistent at best, in part because law enforcement officers cannot charge racers unless they are caught in the act.

H.B. 548 requires a peace officer to impound a motor vehicle involved in an offense of racing on a public highway if the racing results in an accident with property damage or personal injury. The bill makes the owner of the vehicle liable for all removal and storage fees incurred and prohibits the owner from reclaiming the vehicle until all fees are paid.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 548 amends the Transportation Code to require a peace officer to require a motor vehicle used in the commission of an offense of racing on a highway that results in an accident with property damage or personal injury to be taken to the nearest garage or to a garage designated or maintained by the governmental agency that employs the officer. The bill makes the owner of the vehicle liable for all removal and storage fees incurred, and it specifies that the owner is not entitled to take possession of the vehicle until those fees are paid.

EFFECTIVE DATE

September 1, 2009.

EXPLANATION OF AMENDMENTS

Committee Amendment No. 1

H.B. 548 is amended to require the motor vehicle to be taken to the nearest licensed vehicle storage facility, rather to the nearest garage or to a garage designated or maintained by the governmental agency that employs the officer.