

## **BILL ANALYSIS**

C.S.H.B. 1054  
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Public Safety  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently, the state law requirement of vehicle financial responsibility is verifiable through the use of the TexasSure database, which is accessible to law enforcement officers via a computer system in their vehicles. The database is not up-to-date at any given moment as it takes at least a week for the Texas Department of Insurance to receive updates from auto insurance providers and there are no clearly indicated parameters for verifying and establishing financial responsibility.

C.S.H.B. 1054 clarifies that a document listed under state law as acceptable evidence of motor vehicle financial responsibility is sufficient evidence that financial responsibility is established for a vehicle if the document identifies the operator of the vehicle as insured or identifies the vehicle by make and model and as a covered vehicle.

### **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**

C.S.H.B. 1054 amends the Transportation Code to clarify that a document listed under state law as acceptable evidence of motor vehicle financial responsibility is sufficient evidence that financial responsibility is established for a vehicle if the document identifies the operator of the vehicle as an insured or as covered by the surety bond, deposit, or certificate of self-insurance, regardless of whether the document identifies the vehicle by make or model; or identifies the vehicle by make and model and as a covered vehicle, regardless of whether the document identifies the operator of the vehicle by name, provided that the document does not specifically exclude the operator by name or age. The bill prohibits a vehicle that is operated in violation of the requirement to establish financial responsibility from being impounded by, or at the order of, a peace officer solely because of that violation.

### **EFFECTIVE DATE**

September 1, 2009.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 1054 removes a provision from the original prohibiting a peace officer from stopping or detaining a person who is the operator of a motor vehicle for the sole purpose of determining whether financial responsibility is established for the vehicle. The substitute adds a provision not in the original clarifying that a document listed under state law as acceptable evidence of motor vehicle financial responsibility is sufficient evidence that financial responsibility is established for a vehicle if the document identifies the operator of the vehicle as an insured or as covered by the surety bond, deposit, or certificate of self-insurance, regardless of whether the document

identifies the vehicle by make or model. The substitute differs from the original in the provision specifying that a document acceptable under state law is sufficient evidence that financial responsibility is established for a vehicle if the document identifies the motor vehicle, regardless of whether the document identifies the operator of the vehicle by name, by specifying that the document must not specifically exclude the operator by name or age. The substitute, in that provision, specifies that the document identifies the vehicle by make and model and as a covered vehicle, whereas the original specifies that the document describes the motor vehicle.

C.S.H.B. 1054 adds a provision not in the original prohibiting a vehicle that is operated in violation of the financial responsibility requirement from being impounded by, or at the order of, a peace officer solely because of that violation.