BILL ANALYSIS

<div align="right">
H.B. 2012
By: Vaught
Transportation
Committee Report (Unamended)
</div>

BACKGROUND AND PURPOSE

Currently, driving without insurance and without a valid driver's license is a Class C misdemeanor. In late 2008, three pedestrians were struck by a car and seriously injured after participating in a half marathon at White Rock Lake in Dallas. One of the injured, Eric Nelson, works as an editor for the *Dallas Morning News* and is the reason why this legislation is known as Eric's Law. Although speed was not a factor, the driver lost control of the car before striking the individuals. After the accident, it was discovered that the driver was driving without a valid insurance card or a valid driver's license.

H.B. 2012 creates two new punishment enhancements: a Class B misdemeanor if a person drives with a suspended license and without insurance; and a third degree felony if the person driving without insurance or a valid driver's license has an accident and someone is seriously injured or dies as a result of that accident.

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. 2012, which shall be known as Eric's Law, amends the Transportation Code to enhance the penalty for the offense of operating a motor vehicle without a valid driver's license from a Class C misdemeanor to a Class B misdemeanor if it is shown on the trial of the offense that the person, at the time of the offense, was operating the motor vehicle in violation of the motor vehicle liability insurance requirement. The bill enhances the penalty to a felony of the third degree if it is shown on the trial of the offense that at the time of the offense the person was operating the motor vehicle in violation of the motor vehicle liability insurance requirement and caused or was at fault in a motor vehicle accident that resulted in serious bodily injury to or the death of another person.

EFFECTIVE DATE

September 1, 2009.