

BILL ANALYSIS

Senate Research Center
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S.B. 1028
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Transportation & Homeland Security
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Motorists are being injured or killed as a result of failing to use available seat belts. Currently, Texas law requires that only the driver and front-seat passengers wear seat belts. This bill extends the current legal requirement for the use of safety belts to include back-seat restraints, but does not enhance any penalty. The bill maintains the relationship between adult drivers and minor passengers in that a passenger younger than 15 will not receive a ticket for failure to wear a seat belt, but the driver will be ticketed.

As proposed, S.B. 1028 amends current law relating to the use of safety belts while operating or riding in a passenger vehicles and creates an offense.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 545.413, Transportation Code, by amending Subsections (a) and (d) and adding Subsection (a-1), as follows:

(a) Provides that a person commits an offense if the person is at least 15 years of age, is riding in a passenger vehicle, rather than riding in the front seat of a passenger vehicle, while the vehicle is being operated, is occupying a seat that is equipped with a safety belt, and is not secured by a safety belt; or is the operator of a school bus equipped with a safety belt, and the person is not secured by the safety belt.

(a-1) Provides that a person commits an offense if the person operates a passenger vehicle that is equipped with safety belts and allows another person who is at least 17 years of age to ride in the vehicle without requiring the other person to be secured by a safety belt, provided the other person is occupying a seat that is equipped with a safety belt.

(d) Provides that an offense under Subsection (a) or (a-1) is a misdemeanor punishable by a fine of not less than \$25 or more than \$50.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2009.