

BILL ANALYSIS

S.B. 1094
By: Carona
Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, a person who holds or is required to hold a commercial driver's license and who is convicted in Texas or another state of violating a state law or local ordinance relating to motor vehicle traffic must notify the Texas Department of Public Safety (DPS) of the conviction not later than the 30th day after the date of the conviction. The federal government has changed this requirement to 10 days. Therefore, Texas must show an effort to comply with this changed requirement, due to the possibility of the withdrawal of the authority of the State of Texas to issue commercial driver's licenses.

S.B. 1094 requires a person who holds or is required to hold a commercial driver's license to report a conviction for certain motor vehicle control offenses to DPS not later than the seventh day after the conviction and requires certain judges or court clerks to report certain convictions or adjudications of guilt to DPS within seven days of the applicable action.

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

S.B. 1094 amends the Transportation Code to change from not later than the 30th day after the date of conviction to not later than the seventh day after the date of conviction the date by which a person who holds or is required to hold a commercial driver's license under state law and who is convicted in another state law for violating a state law or local ordinance relating to motor vehicle traffic control is required to notify the Department of Public Safety (DPS) of the conviction. The bill changes from not later than the 30th day after the date of conviction to not later than the seventh day after the date of conviction the date by which a person who holds or is required to hold a commercial driver's license under state law and who is convicted in Texas or another state of violating a state law or local ordinance relating to motor vehicle traffic control, including a law regulating the operation of vehicles on highways, is required to notify the person's employer in writing of the conviction.

S.B. 1094 changes from not later than the 30th day after to not later than the seventh day after the date of conviction or forfeiture of bail by a person on a charge of violating a law regulating the operation of a vehicle on a highway or conviction of a person of negligent homicide or a felony in the commission of which a vehicle was used the date by which a magistrate, judge, or clerk of the court in which the conviction was had or bail was forfeited is required to submit to DPS a written record of the case containing information prescribed by law. The bill changes the date by which a justice of the peace or municipal judge who subsequently adjudicates a certain defendant's guilt after deferring proceedings and placing the defendant on probation is required to submit the record to DPS from not later than the 30th day after to not later than the seventh day after the date on which the justice or judge adjudicates guilt.

EFFECTIVE DATE

September 1, 2009.