

By: Christian

H.B. No. 4177

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the duties of a peace officer in connection with the
3 suspension of a driver's license for a failure to pass a blood or
4 breath test for intoxication or the presence of alcohol.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 524.011(b), Transportation Code, is
7 amended to read as follows:

8 (b) A peace officer shall:

9 (1) serve or, if a specimen is taken and the analysis
10 of the specimen is not returned to the arresting officer before the
11 person is admitted to bail, released from custody, delivered as
12 provided by Title 3, Family Code, or committed to jail, attempt to
13 serve notice of driver's license suspension by delivering the
14 notice to the arrested person;

15 (2) take possession of any driver's license issued by
16 this state and held by the person arrested;

17 (3) issue a temporary driving permit to the person
18 unless department records show or the officer otherwise determines
19 that the person does not hold a driver's license to operate a motor
20 vehicle in this state; ~~and~~

21 (4) make and attach to the temporary driving permit a
22 photocopy of any driver's license taken from the person under
23 Subdivision (2); and

24 (5) send to the department not later than the fifth

1 business day after the date of the arrest:

2 (A) a copy of the driver's license suspension
3 notice;

4 (B) any driver's license taken by the officer
5 under this subsection;

6 (C) a copy of any temporary driving permit issued
7 under this subsection; and

8 (D) a sworn report of information relevant to the
9 arrest.

10 SECTION 2. This Act takes effect September 1, 2009.