

By: Averitt

S.B. No. 1218

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the collection of data by the Texas Department of
3 Transportation regarding bridge collapses.

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

5 SECTION 1. Section 201.805, Transportation Code, as added
6 by Chapter 1407 (S.B. 766), Acts of the 80th Legislature, Regular
7 Session, 2007, is amended to read as follows:

8 Sec. 201.805. ACCIDENT REPORTS. (a) The department shall:

9 (1) tabulate and analyze the vehicle accident reports
10 it receives;

11 (2) annually or more frequently publish statistical
12 information derived from the accident reports as to the number,
13 cause, and location of highway accidents, including information
14 regarding the number of:

15 (A) accidents involving injury to, death of, or
16 property damage to a bicyclist or pedestrian; and

17 (B) fatalities caused by a bridge collapse, as
18 defined by Section 550.081; and

19 (3) not later than December 15 of each even-numbered
20 year provide to the governor and the legislature:

21 (A) an abstract of the statistical information
22 for the biennium ending on the preceding August 31; and

23 (B) a report with the department's conclusions,
24 findings, and recommendations for decreasing highway accidents and

1 increasing highway and bridge safety.

2 (b) The department shall provide electronic access to the
3 system containing the accident reports so that the Department of
4 Public Safety can perform its duties, including the duty to make
5 timely entries on driver records.

6 SECTION 2. Section 550.081, Transportation Code, as amended
7 by Chapters 74 (H.B. 423) and 1407 (S.B. 766), Acts of the 80th
8 Legislature, Regular Session, 2007, is reenacted and amended to
9 read as follows:

10 Sec. 550.081. REPORT OF MEDICAL EXAMINER OR JUSTICE OF THE
11 PEACE. (a) In this section:

12 (1) "Department" means the Texas Department of
13 Transportation.

14 (2) "Bridge collapse" means the abrupt failure of the
15 basic structure of a bridge that impairs the ability of the bridge
16 to serve its intended purpose and that damages a highway located on
17 or under the structure.

18 (b) A medical examiner or justice of the peace acting as
19 coroner in a county that does not have a medical examiner's office
20 or that is not part of a medical examiner's district shall submit a
21 report in writing to the department [~~Texas Department of~~
22 ~~Transportation~~] of the death of a person that was the result of a
23 traffic accident or bridge collapse:

24 (1) to which this chapter applies; and

25 (2) that occurred within the jurisdiction of the
26 medical examiner or justice of the peace in the preceding calendar
27 quarter.

1 (c) [~~(b)~~] The report must be submitted before the 11th day
2 of each calendar month and include:

3 (1) the name of the deceased and a statement as to
4 whether the deceased was:

5 (A) the operator of or a passenger in a vehicle
6 involved in the accident; or

7 (B) a pedestrian or other nonoccupant of a
8 vehicle;

9 (2) the date of the accident and the name of the county
10 in which the accident occurred, and, if a bridge collapse, the
11 location of the bridge in that county;

12 (3) the name of any laboratory, medical examiner's
13 office, or other facility that conducted toxicological testing
14 relative to the deceased; and

15 (4) the results of any toxicological testing that was
16 conducted.

17 (d) [~~(c)~~] A report required by this section shall be sent
18 to:

19 (1) the crash records bureau of the department at its
20 headquarters in Austin; or

21 (2) any other office or bureau of the department that
22 the department designates.

23 (e) [~~(d)~~] If toxicological test results are not available
24 to the medical examiner or justice of the peace on the date a report
25 must be submitted, the medical examiner or justice shall:

26 (1) submit a report that includes the statement
27 "toxicological test results unavailable"; and

1 (2) submit a supplement to the report that contains
2 the information required by Subsections (c)(3) [~~(b)(3)~~] and (4) as
3 soon as practicable after the toxicological test results become
4 available.

5 (f) [~~(e)~~] The department shall prepare and when requested
6 supply to medical examiners' offices and justices of the peace the
7 forms necessary to make the reports required by this section.

8 SECTION 3. To the extent of any conflict, this Act prevails
9 over another Act of the 81st Legislature, Regular Session, 2009,
10 relating to nonsubstantive additions to and corrections in enacted
11 codes.

12 SECTION 4. This Act takes effect September 1, 2009.