

1-1 By: Averitt S.B. No. 1218  
1-2 (In the Senate - Filed March 2, 2009; March 13, 2009, read  
1-3 first time and referred to Committee on Transportation and Homeland  
1-4 Security; March 31, 2009, reported favorably by the following  
1-5 vote: Yeas 9, Nays 0; March 31, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the collection of data by the Texas Department of  
1-9 Transportation regarding bridge collapses.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 201.805, Transportation Code, as added  
1-12 by Chapter 1407 (S.B. 766), Acts of the 80th Legislature, Regular  
1-13 Session, 2007, is amended to read as follows:

1-14 Sec. 201.805. ACCIDENT REPORTS. (a) The department shall:

1-15 (1) tabulate and analyze the vehicle accident reports  
1-16 it receives;

1-17 (2) annually or more frequently publish statistical  
1-18 information derived from the accident reports as to the number,  
1-19 cause, and location of highway accidents, including information  
1-20 regarding the number of:

1-21 (A) accidents involving injury to, death of, or  
1-22 property damage to a bicyclist or pedestrian; and

1-23 (B) fatalities caused by a bridge collapse, as  
1-24 defined by Section 550.081; and

1-25 (3) not later than December 15 of each even-numbered  
1-26 year provide to the governor and the legislature:

1-27 (A) an abstract of the statistical information  
1-28 for the biennium ending on the preceding August 31; and

1-29 (B) a report with the department's conclusions,  
1-30 findings, and recommendations for decreasing highway accidents and  
1-31 increasing highway and bridge safety.

1-32 (b) The department shall provide electronic access to the  
1-33 system containing the accident reports so that the Department of  
1-34 Public Safety can perform its duties, including the duty to make  
1-35 timely entries on driver records.

1-36 SECTION 2. Section 550.081, Transportation Code, as amended  
1-37 by Chapters 74 (H.B. 423) and 1407 (S.B. 766), Acts of the 80th  
1-38 Legislature, Regular Session, 2007, is reenacted and amended to  
1-39 read as follows:

1-40 Sec. 550.081. REPORT OF MEDICAL EXAMINER OR JUSTICE OF THE  
1-41 PEACE. (a) In this section:

1-42 (1) "Department" means the Texas Department of  
1-43 Transportation.

1-44 (2) "Bridge collapse" means the abrupt failure of the  
1-45 basic structure of a bridge that impairs the ability of the bridge  
1-46 to serve its intended purpose and that damages a highway located on  
1-47 or under the structure.

1-48 (b) A medical examiner or justice of the peace acting as  
1-49 coroner in a county that does not have a medical examiner's office  
1-50 or that is not part of a medical examiner's district shall submit a  
1-51 report in writing to the department [~~Texas Department of~~  
1-52 ~~Transportation~~] of the death of a person that was the result of a  
1-53 traffic accident or bridge collapse:

1-54 (1) to which this chapter applies; and

1-55 (2) that occurred within the jurisdiction of the  
1-56 medical examiner or justice of the peace in the preceding calendar  
1-57 quarter.

1-58 (c) [~~(b)~~] The report must be submitted before the 11th day  
1-59 of each calendar month and include:

1-60 (1) the name of the deceased and a statement as to  
1-61 whether the deceased was:

1-62 (A) the operator of or a passenger in a vehicle  
1-63 involved in the accident; or

1-64 (B) a pedestrian or other nonoccupant of a

2-1 vehicle;  
2-2 (2) the date of the accident and the name of the county  
2-3 in which the accident occurred, and, if a bridge collapse, the  
2-4 location of the bridge in that county;

2-5 (3) the name of any laboratory, medical examiner's  
2-6 office, or other facility that conducted toxicological testing  
2-7 relative to the deceased; and

2-8 (4) the results of any toxicological testing that was  
2-9 conducted.

2-10 (d) [~~(e)~~] A report required by this section shall be sent  
2-11 to:

2-12 (1) the crash records bureau of the department at its  
2-13 headquarters in Austin; or

2-14 (2) any other office or bureau of the department that  
2-15 the department designates.

2-16 (e) [~~(d)~~] If toxicological test results are not available  
2-17 to the medical examiner or justice of the peace on the date a report  
2-18 must be submitted, the medical examiner or justice shall:

2-19 (1) submit a report that includes the statement  
2-20 "toxicological test results unavailable"; and

2-21 (2) submit a supplement to the report that contains  
2-22 the information required by Subsections (c)(3) [~~(b)(3)~~] and (4) as  
2-23 soon as practicable after the toxicological test results become  
2-24 available.

2-25 (f) [~~(e)~~] The department shall prepare and when requested  
2-26 supply to medical examiners' offices and justices of the peace the  
2-27 forms necessary to make the reports required by this section.

2-28 SECTION 3. To the extent of any conflict, this Act prevails  
2-29 over another Act of the 81st Legislature, Regular Session, 2009,  
2-30 relating to nonsubstantive additions to and corrections in enacted  
2-31 codes.

2-32 SECTION 4. This Act takes effect September 1, 2009.

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