

1-1 By: Wentworth S.B. No. 1389
1-2 (In the Senate - Filed March 5, 2009; March 17, 2009, read
1-3 first time and referred to Committee on Transportation and Homeland
1-4 Security; April 1, 2009, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 April 1, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1389 By: Wentworth

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the penalty for the offense of reckless driving.
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-12 SECTION 1. Section 545.401, Transportation Code, is amended
1-13 by amending Subsection (b) and adding Subsections (e), (f), and (g)
1-14 to read as follows:

1-15 (b) Except as provided by Subsection (e), an [An] offense
1-16 under this section is a misdemeanor punishable by:

1-17 (1) a fine not to exceed \$200;

1-18 (2) confinement in county jail for not more than 30
1-19 days; or

1-20 (3) both the fine and the confinement.

1-21 (e) If an offense under this section results in the serious
1-22 bodily injury or death of an operator or passenger of another motor
1-23 vehicle, the offense is a Class B misdemeanor.

1-24 (f) The court may:

1-25 (1) order that the driver's license of a person
1-26 convicted of an offense under Subsection (e) be suspended for not
1-27 less than 30 days beginning on the date of conviction; and

1-28 (2) require the person to attend and present proof
1-29 that the person successfully completed a driving safety course
1-30 approved under Chapter 1001, Education Code, before the person's
1-31 driver's license may be reinstated.

1-32 (g) A judge, acting under Article 42.12, Code of Criminal
1-33 Procedure, who elects to place a defendant on community supervision
1-34 under that article may require the defendant to attend and present
1-35 proof that the defendant successfully completed a driving safety
1-36 course approved under Chapter 1001, Education Code.

1-37 SECTION 2. The change in law made by this Act applies only
1-38 to an offense committed on or after the effective date of this Act.
1-39 An offense committed before the effective date of this Act is
1-40 covered by the law in effect when the offense was committed, and the
1-41 former law is continued in effect for that purpose. For purposes of
1-42 this section, an offense was committed before the effective date of
1-43 this Act if any element of the offense was committed before that
1-44 date.

1-45 SECTION 3. This Act takes effect September 1, 2009.

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