

BILL ANALYSIS

H.B. 343
By: Fletcher
Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current statute prevents the Department of Public Safety (DPS) from including in the driver's license record of a person employed as a peace officer, fire fighter, or emergency medical services employee any accident that occurs during an emergency while the person is operating an official vehicle in the course and scope of the person's duties. There is not a similar exemption for minor accidents that result in little or no damage during the person's course and scope of duties.

While accidents involving damage of less than \$1,000 generally do not have to be investigated by a law enforcement agency or reported to DPS, many public safety agencies require an accident report to be prepared if there is any amount of damage to a government owned vehicle operated by a public safety employee in the course of the person's official duties. As a result, accidents appear on the driver's license record of the employee that would not have been included if the accident had not occurred while the employee was on duty. H.B. 343 addresses these discrepancies relating to the reporting and recording of motor vehicle accidents involving official vehicles driven by certain public safety employees in the course of official duties.

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

H.B. 343 amends the Transportation Code to make the prohibition relating to recording in the driver's license record of a peace officer, fire fighter, or emergency medical services employee information relating to a motor vehicle accident involving an official vehicle driven by such a person in the course and scope of official duties apply to any traffic accident involving such a vehicle, rather than an accident that occurs during an emergency, and makes the prohibition apply if the traffic accident resulted in damages to property of less than \$1,000 or if an investigation of the accident by a peace officer, other than a peace officer involved in the accident, determines that the peace officer, fire fighter, or emergency medical services employee involved in the accident was not at fault. The bill makes conforming changes in statutory provisions governing accident report forms prepared by the Texas Department of Transportation.

EFFECTIVE DATE

September 1, 2011.