

## **BILL ANALYSIS**

S.B. 182  
By: Wentworth  
Transportation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Under current Texas law, reckless driving is an offense with a punishment that is the same regardless of whether the violation results in serious bodily injury or death. Reckless driving is an offense that has potentially serious consequences and should be more heavily penalized when the offense results in serious bodily injury or death.

S.B. 182 would raise the penalty for reckless driving to a Class B misdemeanor with a fine not to exceed \$2,000 if the offense results in serious bodily injury or death. The bill also authorizes the court to revoke the driver's license of an offender and to require an offender to attend a driving safety course.

S.B. 182 amends current law relating to the penalty for the offense of reckless driving.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **ANALYSIS**

SECTION 1. Amends Section 545.401, Transportation Code, by amending Subsection (b) and adding Subsections (e), (f), (g), and (h), as follows:

- (b) Creates an exception under Subsection (e) and makes a nonsubstantive change.
- (e) Provides that if an offense under this section results in the serious bodily injury or death of an operator or passenger of another motor vehicle, the offense is a Class B misdemeanor.
- (f) Authorizes the court to order that the driver's license of a person convicted of an offense under Subsection (e) be suspended for not less than 30 days beginning on the date of conviction and to require the person to attend and present proof that the person successfully completed a driving safety course under Chapter 1001 (Driver and Traffic Safety Education), Education Code, before the person's driver's license may be reinstated.
- (g) Authorizes a judge acting under Article 42.12 (Community Supervision), Code of Criminal Procedure, who elects to place a defendant charged with an offense under this section on community supervision under that article, to require the defendant to attend and present proof that the defendant successfully completed a driving safety course approved under Chapter 1001 (Driver and Traffic Safety Education), Education Code.
- (h) Authorizes that a person who is subject to prosecution under both this section and another section of this or any other code be prosecuted under either or both sections.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2011.

### **EFFECTIVE DATE**

September 1, 2011.