

BILL ANALYSIS

S.B. 1608
By: Carona
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

More than two years ago three pedestrians were struck by a car and seriously injured after participating in a half marathon near Dallas. It was discovered after the accident that the driver, who had lost control of the car, was driving with neither a valid insurance card nor a valid driver's license.

S.B. 1608 addresses the issue of an individual who operates a motor vehicle without a driver's license or in violation of the motor vehicle liability insurance requirement and causes or is at fault in a motor vehicle accident resulting in serious bodily injury to or the death of another person.

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

SECTION 1. Amends Section 521.025(c), Transportation Code, as follows:

(c) Provides that a person who violates this section commits an offense. Provides that an offense under this subsection is a misdemeanor punishable by a fine not to exceed \$200, except that:

(1) for a second conviction within one year after the date of the first conviction, the offense is a misdemeanor punishable by a fine of not less than \$25 or more than \$200;

(2) for a third or subsequent conviction within one year after the date of the second conviction the offense is a misdemeanor punishable by a fine of not less \$25 or more than \$500, confinement in the county jail for not less than 72 hours or more than six months, or both the fine and confinement; and

(3) if it is show on the trial of the offense that at the time of the offense the person was operating the motor vehicle in violation of Section 601.191 (Operation of Motor Vehicle in Violation of Motor Vehicle Liability Insurance Requirement; Offense) and caused or was at fault in a motor vehicle accident that resulted in serious bodily injury to or the death of another person, an offense under this section is a Class A misdemeanor.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2011.

EFFECTIVE DATE

September 1, 2011.