

1-1 By: Wentworth S.B. No. 182
1-2 (In the Senate - Filed November 9, 2010; January 31, 2011,
1-3 read first time and referred to Committee on Transportation and
1-4 Homeland Security; March 24, 2011, reported favorably by the
1-5 following vote: Yeas 9, Nays 0; March 24, 2011, sent to printer.)

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

1-8 relating to the penalty for the offense of reckless driving.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Section 545.401, Transportation Code, is amended
1-11 by amending Subsection (b) and adding Subsections (e), (f), (g),
1-12 and (h) to read as follows:

1-13 (b) Except as provided by Subsection (e), an [An] offense
1-14 under this section is a misdemeanor punishable by:

1-15 (1) a fine not to exceed \$200;

1-16 (2) confinement in county jail for not more than 30
1-17 days; or

1-18 (3) both the fine and the confinement.

1-19 (e) If an offense under this section results in the serious
1-20 bodily injury or death of an operator or passenger of another motor
1-21 vehicle, the offense is a Class B misdemeanor.

1-22 (f) The court may:

1-23 (1) order that the driver's license of a person
1-24 convicted of an offense under Subsection (e) be suspended for not
1-25 less than 30 days beginning on the date of conviction; and

1-26 (2) require the person to attend and present proof
1-27 that the person successfully completed a driving safety course
1-28 approved under Chapter 1001, Education Code, before the person's
1-29 driver's license may be reinstated.

1-30 (g) A judge, acting under Article 42.12, Code of Criminal
1-31 Procedure, who elects to place a defendant charged with an offense
1-32 under this section on community supervision under that article may
1-33 require the defendant to attend and present proof that the
1-34 defendant successfully completed a driving safety course approved
1-35 under Chapter 1001, Education Code.

1-36 (h) A person who is subject to prosecution under both this
1-37 section and another section of this or any other code may be
1-38 prosecuted under either or both sections.

1-39 SECTION 2. The change in law made by this Act applies only
1-40 to an offense committed on or after the effective date of this Act.
1-41 An offense committed before the effective date of this Act is
1-42 covered by the law in effect when the offense was committed, and the
1-43 former law is continued in effect for that purpose. For purposes of
1-44 this section, an offense was committed before the effective date of
1-45 this Act if any element of the offense was committed before that
1-46 date.

1-47 SECTION 3. This Act takes effect September 1, 2011.

1-48 * * * * *