

By: Williams

S.B. No. 1700

A BILL TO BE ENTITLED

AN ACT

relating to checkpoints to ensure the validity of licenses and financial responsibility of vehicle operators.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 600, Transportation Code, is amended by adding Section 600.005 to read as follows:

Sec. 600.005. DRIVER'S LICENSE AND EVIDENCE OF FINANCIAL RESPONSIBILITY CHECKPOINTS. (a) The department may establish a program for the purpose of establishing checkpoints to ensure that operators of motor vehicles in this state are not in violation of Section 521.021, 522.011, or 601.051.

(b) The department may establish the checkpoint program in conjunction with local law enforcement authorities. The department and local law enforcement authorities may share the cost of staffing the checkpoints conducted under the program established by this section.

(c) The department shall establish procedures to be used in the operation of a checkpoint conducted under the program established by this section.

(d) The procedures for the operation of a checkpoint conducted under the program established by this section must:

(1) limit the discretion of the peace officers conducting the checkpoint;

(2) ensure that the selection of motor vehicles to be

1 stopped is reasonably predictable and nonarbitrary;

2 (3) ensure that intrusion on the operator is  
3 minimized; and

4 (4) ensure that an inquiry is reasonably related to  
5 the purpose of the checkpoint.

6 (e) The department shall keep a record of the operation of a  
7 checkpoint conducted under the program established by this section  
8 that contains:

9 (1) the date, time, location, and duration of the  
10 checkpoint;

11 (2) the number of motor vehicles stopped at the  
12 checkpoint and the number and nature of arrests made and citations  
13 issued at the checkpoint; and

14 (3) the identities of the peace officers operating the  
15 checkpoint.

16 SECTION 2. This Act takes effect September 1, 2011.