

BILL ANALYSIS

C.S.H.B. 3668
By: Naishtat
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

As bicycle and pedestrian traffic increases in the urban and rural areas of Texas, a proportionate increase in the number of auto-pedestrian incidents has been reported, many of which result in the death of or serious injury to hundreds of Texans. Interested parties assert that many of these fatalities and life-altering injuries could have been prevented had proper assistance been provided within a reasonable time after the injuries were sustained.

The parties point out that many states, including Texas, have adopted failure to stop and render aid laws to encourage vehicle operators to come to the aid of victims but note that, in order to successfully prosecute failure to stop and render aid in Texas, the state must prove that the operator knew or discovered that a person was involved and made the conscious choice to leave the scene of the accident without rendering aid. The parties contend that current law actually provides an incentive to a vehicle operator involved in such an accident to leave the scene without confirming that a pedestrian, bicyclist, or motorist was involved or injured and that, as a result, the law does not adequately consider the needs of the victim whose life or future welfare could be in the balance. C.S.H.B. 3668 seeks to address the issue by eliminating this incentive.

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

C.S.H.B. 3668 amends the Transportation Code to require the operator of a vehicle involved in an accident that results in injury to or death of a person to immediately determine whether a person is involved in the accident, and if so, whether that person requires aid, in addition to the other established statutory requirements for such an operator. The bill expands the applicability of those requirements to the operator of a vehicle involved in an accident that possibly results in injury to or death of a person.

EFFECTIVE DATE

September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 3668 differs from the original in minor or nonsubstantive ways to make technical corrections and by conforming to certain bill drafting conventions. The substitute differs from the original by making the bill effective September 1, 2013, rather than on passage, or, if the bill does not receive the necessary vote, September 1, 2013.