

BILL ANALYSIS

Senate Research Center

S.B. 1530
By: Burton
Transportation
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current Texas law, operators of motor vehicles are specifically prohibited from leaving their vehicles unattended "without stopping the engine; locking the engine; removing the key from the ignition; setting the parking break effectively; and, if standing on a grade, turning the front wheels to the curb or side of the highway."

S.B. 1530 guts most of the prohibitions of leaving a vehicle running while the operator is away from the vehicle. Examples of what would still be illegal would be leaving your car running when you ran in to pick up your laundry or mail something at the post office. Also, leaving a vehicle running with a child present would be per se illegal as child endangerment—a different statute.

Technology in modern vehicles has evolved to the point that current law is obsolete. Most cars have options that allow people to leave their engine running and still keep their cars locked. Additionally, citizens of the state of the Texas have a right, within reason, to leave their vehicles idling while not inside them.

As proposed, S.B. 1530 amends current law relating to the offense of leaving a motor vehicle unattended.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 545.404, Transportation Code, as follows:

Sec. 545.404. UNATTENDED MOTOR VEHICLE. (a) Creates this subsection from existing text. Prohibits an operator, except as provided by Subsection (b), from leaving a vehicle unattended without:

- (1) stopping the engine;
- (2) locking the ignition;
- (3) removing the key from the ignition;
- (4) setting the parking brake effectively; and
- (5) if standing on a grade, standing on a grade, turning the front wheels to the curb or side of the highway.

Makes nonsubstantive changes.

(b) Provides that the requirements of Subsections (a)(1), (2), and (3) do not apply to:

(1) a vehicle located on property under the operator's control; or

(2) an operator who starts the engine of a vehicle by using a remote starter or other similar device that:

(a) remotely starts the vehicle's engine without placing the key in the ignition; and

(b) requires the key to be placed in the ignition or physically present in the vehicle before the vehicle can be operated.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2015.