

By: Wu

H.B. No. 823

Substitute the following for H.B. No. 823:

By: Pickett

C.S.H.B. No. 823

A BILL TO BE ENTITLED

1 AN ACT

2 relating to criminal liability for certain federal motor carrier  
3 safety regulation violations; increasing a criminal penalty.

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

5 SECTION 1. Section [644.151](#), Transportation Code, is amended  
6 by amending Subsection (b) and adding Subsection (d) to read as  
7 follows:

8 (b) Except as provided by Subsection (d), an [An] offense  
9 under this section is a Class C misdemeanor.

10 (d) An offense under this section relating to brakes, tires,  
11 or load securement is a Class C misdemeanor punishable by a fine of  
12 not less than \$150 or more than \$500 if the offense involves a  
13 violation of:

14 (1) a regulation under 49 C.F.R. Part 393, Subpart C,  
15 as that regulation existed on April 1, 2014;

16 (2) 49 C.F.R. Section 393.75, as that regulation  
17 existed on April 1, 2014; or

18 (3) a regulation under 49 C.F.R. Part 393, Subpart I,  
19 as that regulation existed on April 1, 2014.

20 SECTION 2. An offense under Section [644.151](#), Transportation  
21 Code, as amended by this Act, committed before the effective date of  
22 this Act is governed by the law in effect when the offense was  
23 committed, and the former law is continued in effect for that  
24 purpose. For purposes of this section, an offense was committed

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1 before the effective date of this Act if any element of the offense  
2 occurred before that date.

3 SECTION 3. This Act takes effect September 1, 2015.