

By: Wu

H.B. No. 823

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

(1) 49 C.F.R. Section 392.7 or 392.9, as those regulations existed on April 1, 2014;

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

(3) 49 C.F.R. Section 393.75, as that regulation existed on April 1, 2014; or

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

SECTION 2. An offense under Section 644.151, Transportation Code, as amended by this Act, committed before the effective date of this Act is governed by the law in effect when the offense was

1 committed, and the former law is continued in effect for that
2 purpose. For purposes of this section, an offense was committed
3 before the effective date of this Act if any element of the offense
4 occurred before that date.

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