

Amend CSHB 3254 (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

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

(a) A person commits an offense if the person:

(1) violates a rule adopted under this chapter; ~~[or]~~

(2) does not permit an inspection authorized under Section 644.104; or

(3) knowingly operates a commercial motor vehicle in violation of an out-of-service order issued under 49 C.F.R. Section 385.13(d)(1) or owns, leases, or assigns a person to drive a commercial motor vehicle that is knowingly operated in violation of an out-of-service order issued under 49 C.F.R. Section 385.13(d)(1).

(b) An offense under Subsection (a)(1) or (2) ~~[this section]~~ is a Class C misdemeanor.

(b-1) An offense under Subsection (a)(3) is a Class A misdemeanor, except that the offense is:

(1) a state jail felony if it is shown on the trial of the offense that at the time of the offense the commercial motor vehicle was involved in a motor vehicle accident that resulted in bodily injury; or

(2) a felony of the second degree if it is shown on the trial of the offense that at the time of the offense the commercial motor vehicle was involved in a motor vehicle accident that resulted in the death of a person.