

## **BILL ANALYSIS**

C.S.H.B. 2807  
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Licensing & Administrative Procedures  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

It has been suggested that the penalties provided in recent legislative efforts to address the dangers of recklessly passing certain vehicles, such as an authorized emergency vehicle or a tow truck, weren't sufficient to deter violations of the law. C.S.H.B. 2807 seeks to address this issue by increasing penalties for violating certain vehicle-passing requirements.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

### **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. 2807 amends the Transportation Code to revise the penalties associated with the misdemeanor offense of violating certain vehicle-passing requirements by:

- increasing the base penalty fine from not less than \$1 or more than \$200 to not less than \$250 or more than \$500; and
- increasing the fine for such an offense that results in property damage from \$500 to not less than \$500 or more than \$1,000.

C.S.H.B. 2807 changes the type of tow truck with respect to which such passing requirements apply from a stationary tow truck using certain lighting equipment to a tow truck performing towing duties under the Texas Towing and Booting Act and includes a towing company performing those duties authorized by an authority or law enforcement agency among the entities not liable for certain damages resulting from the removal of personal property from a roadway or right-of-way. The bill requires a court, on conviction of an offense of violating certain vehicle-passing requirements, to require the offender to complete an approved driving safety course.

### **EFFECTIVE DATE**

September 1, 2019.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2807 may differ from the original in minor or nonsubstantive ways, the

following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include an increase for a misdemeanor offense for violating certain vehicle-passing requirements that results in bodily injury from a Class B misdemeanor to a misdemeanor punishable by a fine of not less than \$1,000 or more than \$5,000.