2019S0388-T 03/07/19

By:  Hall S.B. No. 2144

A BILL TO BE ENTITLED

AN ACT

relating to creating the offense of causing an accident resulting in personal injury or death while operating a motor vehicle without a license; providing a penalty.

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

SECTION 1.  Section 521.021, Transportation Code, is amended to read as follows:

Sec. 521.021.  LICENSE REQUIRED. (a)  A person, other than a person expressly exempted under this chapter, may not operate a motor vehicle on a highway in this state unless the person holds a driver's license issued under this chapter.

(b)  Except as provided by Subsection (c), a person who is involved in an accident covered by Section 550.021 while operating a motor vehicle in violation of Subsection (a) commits an offense. An offense under this subsection:

(1)  involving an accident resulting in:

(A)  the death of a person is a felony of the second degree; or

(B)  serious bodily injury, as defined by Section 1.07, Penal Code, to a person is a felony of the third degree; and

(2)  involving an accident resulting in injury to which Subdivision (1) does not apply is punishable by:

(A)  imprisonment in the Texas Department of Criminal Justice for not more than five years or confinement in the county jail for not more than one year;

(B)  a fine not to exceed $5,000; or

(C)  both the fine and the imprisonment or confinement.

(c)  It is an affirmative defense to liability under Subsection (b) that the person operating a motor vehicle in violation of Subsection (a) at the time of the violation held a driver's license that was suspended under Section 708.152.

(d)  Subsection (b) does not apply to a person operating a motor vehicle in violation of Subsection (a) who, at the time of the violation, held a driver's license that was suspended under Section 708.152.

SECTION 2.  This Act takes effect September 1, 2019.