

BILL ANALYSIS

C.S.H.B. 1182
By: Middleton
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised regarding ferry passengers who utilize fraudulent medical priority boarding passes. Furthermore, it has been noted that the Texas Department of Transportation does not have the necessary statutory authority to enforce the medical priority boarding pass system. C.S.H.B. 1182 seeks to remedy this situation by creating an offense for a ferry passenger who boards or attempts to board a ferry during medical priority boarding without valid proof of eligibility to do so or with counterfeit or altered proof of eligibility.

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. 1182 amends the Transportation Code to create a Class C misdemeanor offense for the operator of a motor vehicle who boards or attempts to board a ferry operated by the Texas Department of Transportation during medical priority boarding and the operator, as follows:

- does not possess valid proof of eligibility for the priority boarding for the operator or another person in the vehicle; or
- possesses proof of eligibility for the priority boarding that is counterfeit or altered.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1182 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 changes the conduct constituting the offense from fraudulently obtaining or attempting to obtain priority ferry boarding that is reserved for those with medical priority boarding to boarding or attempting to board the ferry during medical priority boarding without valid proof of eligibility to do so. The substitute clarifies that possession of counterfeit or altered proof of eligibility also constitutes such an offense.