87R13733 BEE-D

By:  Goodwin H.B. No. 795

Substitute the following for H.B. No. 795:

By:  Martinez C.S.H.B. No. 795

A BILL TO BE ENTITLED

AN ACT

relating to the designation of highway safety corridors; increasing a fine.

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

SECTION 1.  This Act shall be known as the Dr. Michael James Babineaux Act.

SECTION 2.  Subchapter K, Chapter 201, Transportation Code, is amended by adding Section 201.9051 to read as follows:

Sec. 201.9051.  HIGHWAY SAFETY CORRIDOR. (a) The department shall designate as a highway safety corridor a portion of a roadway containing a site with a high number of traffic fatalities, as identified by the governing body of the municipality or county in whose jurisdiction the site is located.

(b)  The department shall erect a sign at each end of the highway safety corridor and at appropriate intermediate sites along the corridor:

(1)  indicating that it is a highway safety corridor; and

(2)  stating "Fines double: highway safety corridor."

(c)  The department may distribute literature to the public concerning highway safety corridors designated under this section.

(d)  The commission by rule shall establish processes for the governing body of a municipality or county to:

(1)  identify sites with high numbers of traffic fatalities; and

(2)  inform the department of sites identified under Subdivision (1) for designation as a highway safety corridor.

SECTION 3.  Subchapter D, Chapter 542, Transportation Code, is amended by adding Section 542.4046 to read as follows:

Sec. 542.4046.  FINE FOR OFFENSE IN HIGHWAY SAFETY CORRIDOR. (a) In this section, "highway safety corridor" means a portion of a roadway designated by the department in accordance with Section 201.9051.

(b)  If an offense under this subtitle, other than an offense under Chapter 548 or 552 or Section 545.412 or 545.413, is committed in a highway safety corridor:

(1)  the minimum fine applicable to the offense is twice the minimum fine that would be applicable to the offense if it were committed outside a highway safety corridor; and

(2)  the maximum fine applicable to the offense is twice the maximum fine that would be applicable to the offense if it were committed outside a highway safety corridor.

SECTION 4.  As soon as practicable after the effective date of this Act, the Texas Department of Transportation by rule shall establish the processes required by Section 201.9051(d), Transportation Code, as added by this Act.

SECTION 5.  The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is covered by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense was committed before that date.

SECTION 6.  This Act takes effect September 1, 2021.