

By: Lozano

H.B. No. 3325

A BILL TO BE ENTITLED

AN ACT

relating to the terminology used to describe transportation-related accidents.

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

SECTION 1. Section 22.085(b), Transportation Code, is amended to read as follows:

(b) A joint board may use contracts and rating plans and may implement risk management programs designed to prevent crashes [~~accidents~~]. In developing its insurance program, a joint board may consider the peculiar hazards, indemnity standards, and past prospective loss and expense experience of the joint board and of its contractors and subcontractors.

SECTION 2. Section 66.017, Transportation Code, is amended to read as follows:

Sec. 66.017. DUTIES. The board shall:

(1) establish the number of pilots necessary to provide adequate pilot services for each Harris County port;

(2) accept applications for pilot licenses and certificates and determine whether each applicant meets the qualifications for a pilot;

(3) submit to the governor lists of applicants the board finds to be qualified for appointment as pilots;

(4) establish pilotage rates;

(5) approve the locations for pilot stations;

1 (6) establish times during which pilot services will
2 be available;

3 (7) hear and determine complaints relating to the
4 conduct of pilots;

5 (8) recommend to the governor each pilot whose license
6 or certificate should not be renewed or should be revoked;

7 (9) adopt rules and issue orders to pilots or vessels
8 when necessary to secure efficient pilot services, including
9 minimizing the interference of two-way routes;

10 (10) institute investigations or hearings or both to
11 consider casualties, crashes [~~accidents~~], or other actions that
12 violate this chapter; and

13 (11) provide penalties to be imposed on a person who is
14 not a pilot for a Harris County port who pilots a vessel into or out
15 of the port if a pilot offered those services to the vessel.

16 SECTION 3. Section 67.017, Transportation Code, is amended
17 to read as follows:

18 Sec. 67.017. DUTIES. The board shall:

19 (1) recommend to the governor the number of pilots
20 necessary to provide adequate pilot services for each Galveston
21 County port;

22 (2) accept applications for pilot licenses and
23 certificates and determine whether each applicant meets the
24 qualifications for a pilot;

25 (3) provide names of all qualified applicants for
26 certificates to each pilot association office of Galveston County;

27 (4) submit to the governor the names of persons who

- 1 have qualified under this chapter to be appointed as branch pilots;
- 2 (5) establish pilotage rates;
- 3 (6) approve any changes of the locations for pilot
4 stations;
- 5 (7) establish times during which pilot services will
6 be available;
- 7 (8) hear and determine complaints relating to the
8 conduct of pilots;
- 9 (9) make recommendations to the governor concerning
10 any pilot whose license or certificate should not be renewed or
11 should be revoked;
- 12 (10) adopt rules and issue orders to pilots and
13 vessels when necessary to secure efficient pilot services;
- 14 (11) institute investigations or hearings or both to
15 consider casualties, crashes [~~accidents~~], or other actions that
16 violate this chapter;
- 17 (12) provide penalties to be imposed on a person who is
18 not a pilot for a Galveston County port and who pilots a vessel into
19 or out of the port; and
- 20 (13) approve a training program for deputy branch
21 pilots.

22 SECTION 4. Section 68.017, Transportation Code, is amended
23 to read as follows:

24 Sec. 68.017. DUTIES. The board shall:

- 25 (1) recommend to the governor the number of pilots
26 necessary to provide adequate pilot services for each Brazoria
27 County port;

1 (2) accept applications for pilot licenses and
2 certificates and determine whether each applicant meets the
3 qualifications for a pilot;

4 (3) provide the names of all qualified applicants for
5 certificates to the Brazos Pilots Association;

6 (4) submit to the governor the names of persons who
7 have qualified under this chapter to be commissioned as branch
8 pilots;

9 (5) establish pilotage rates;

10 (6) approve the locations for pilot stations;

11 (7) establish times during which pilot services will
12 be available;

13 (8) hear and determine complaints relating to the
14 conduct of pilots;

15 (9) recommend to the governor each pilot whose license
16 or certificate should not be renewed or should be revoked;

17 (10) adopt rules and issue orders to pilots or vessels
18 when necessary to secure efficient pilot services;

19 (11) institute investigations or hearings or both to
20 consider casualties, crashes [~~accidents~~], or other actions that
21 violate this chapter;

22 (12) provide penalties to be imposed on a person who is
23 not a pilot for a Brazoria County port who pilots a vessel into or
24 out of the port; and

25 (13) approve a training program for deputy branch
26 pilots.

27 SECTION 5. Sections 69.017(a) and (c), Transportation Code,

1 are amended to read as follows:

2 (a) The board shall:

3 (1) establish the number of pilots necessary to
4 provide adequate pilot services for each Jefferson or Orange County
5 port;

6 (2) establish pilotage rates;

7 (3) hear and determine complaints relating to the
8 conduct of pilots;

9 (4) make recommendations to the governor concerning
10 any pilot whose license or certificate should not be renewed or
11 should be revoked;

12 (5) adopt rules and issue orders to pilots and vessels
13 when necessary to secure efficient pilot services;

14 (6) institute investigations or hearings or both to
15 consider casualties, crashes [~~accidents~~], or other actions that
16 violate this chapter;

17 (7) provide penalties to be imposed on a person who is
18 not a pilot for a Jefferson or Orange County port and who pilots a
19 vessel into or out of the port if the person offered pilot services
20 to the vessel;

21 (8) establish times during which pilot services will
22 be available;

23 (9) accept applications for pilot licenses and
24 certificates and determine whether each applicant meets the
25 qualifications for a pilot;

26 (10) submit to the governor the names of persons who
27 have qualified under this chapter to be appointed as branch pilots;

1 and

2 (11) approve any changes of the locations of pilot
3 stations.

4 (c) The board may assess against the users of pilot
5 services:

6 (1) the actual costs the board considers fair and just
7 incurred in connection with hearings against any applicant or
8 objecting party; and

9 (2) other expenses that are necessary and proper to
10 enable the board to effectively carry out the purposes and
11 requirements of this chapter, including processing of applications
12 for pilot licenses and certificates, establishing pilotage,
13 determining and approving the locations for pilot stations,
14 establishing times during which pilot services will be available,
15 hearing and ruling on complaints relating to the conduct of pilots,
16 adopting rules and issuing orders to pilots or vessels when
17 necessary to secure efficient pilot services, instituting
18 investigations or hearings to consider casualties, crashes
19 [~~accidents~~], or other actions that violate this chapter, making of
20 any provision for proper, safe, and efficient pilotage, and funding
21 general administrative expenses associated with the operation of
22 the board.

23 SECTION 6. Section 70.017, Transportation Code, is amended
24 to read as follows:

25 Sec. 70.017. DUTIES. The board shall:

26 (1) recommend to the governor the number of pilots
27 necessary to provide adequate pilot services for the Port of Corpus

1 Christi;

2 (2) examine and determine the qualifications of each
3 applicant for branch pilot;

4 (3) submit to the governor the names of persons who
5 have qualified under this chapter to be appointed as branch pilots;

6 (4) establish pilotage rates;

7 (5) approve any changes of the locations of pilot
8 stations;

9 (6) establish times during which pilot services will
10 be available;

11 (7) hear and determine complaints relating to the
12 conduct of pilots;

13 (8) make recommendations to the governor concerning
14 any pilot whose license or certificate should not be renewed or
15 should be revoked;

16 (9) adopt rules and issue orders to pilots and vessels
17 when necessary to secure efficient pilot services; and

18 (10) institute investigations or hearings or both to
19 consider casualties, crashes [~~accidents~~], or other actions that
20 violate this chapter.

21 SECTION 7. Sections [112.103](#)(b) and (c), Transportation
22 Code, are amended to read as follows:

23 (b) An operator who is involved, while operating a
24 locomotive, in a crash [~~an accident~~] resulting in injury to or death
25 of a person or damage to a vehicle that is driven or attended by a
26 person shall immediately stop the locomotive at the scene of the
27 crash [~~accident~~].

1 (c) The operator shall render to a person injured in the
2 crash [~~accident~~] reasonable assistance, including transporting, or
3 the making of arrangements for transporting, the person to a
4 physician, surgeon, or hospital for medical or surgical treatment
5 if it is apparent that treatment is necessary or if the injured
6 person requests transportation.

7 SECTION 8. Section 192.005, Transportation Code, is amended
8 to read as follows:

9 Sec. 192.005. RECORD OF CRASH [~~ACCIDENT~~] OR VIOLATION. If
10 a person operating a railroad locomotive or train is involved in a
11 crash [~~an accident~~] with another train or a motor vehicle or is
12 arrested for violation of a law relating to the person's operation
13 of a railroad locomotive or train:

14 (1) the number of or other identifying information on
15 the person's driver's license or commercial driver's license may not
16 be included in any report of the crash [~~accident~~] or violation; and

17 (2) the person's involvement in the crash [~~accident~~]
18 or violation may not be recorded in the person's individual driving
19 record maintained by the Department of Public Safety.

20 SECTION 9. Section 201.806, Transportation Code, is amended
21 to read as follows:

22 Sec. 201.806. CRASH [~~ACCIDENT~~] REPORTS. (a) The
23 department shall:

24 (1) tabulate and analyze the vehicle crash [~~accident~~]
25 reports it receives; and

26 (2) annually or more frequently publish on the
27 department's Internet website statistical information derived from

1 the crash [~~accident~~] reports as to the number, cause, and location
2 of highway crashes [~~accidents~~], including information regarding
3 the number of:

4 (A) crashes [~~accidents~~] involving injury to,
5 death of, or property damage to a bicyclist or pedestrian; and

6 (B) fatalities caused by a bridge collapse, as
7 defined by Section 550.081.

8 (b) The department shall provide electronic access to the
9 system containing the crash [~~accident~~] reports so that the
10 Department of Public Safety can perform its duties, including the
11 duty to make timely entries on driver records.

12 SECTION 10. Sections 201.909(a), (b), and (c),
13 Transportation Code, are amended to read as follows:

14 (a) In this section, "victim" means a person killed in a
15 highway crash [~~accident~~] involving alcohol or a controlled
16 substance, excluding an operator who was under the influence of
17 alcohol or a controlled substance.

18 (b) The commission by rule shall establish and administer a
19 memorial sign program to publicly memorialize the victims of
20 alcohol or controlled substance-related vehicle crashes
21 [~~accidents~~].

22 (c) A sign designed and posted under this section shall
23 include:

24 (1) the phrase "Please Don't Drink and Drive";

25 (2) the phrase "In Memory Of" and the name of one or
26 more victims in accordance with the commission rule; and

27 (3) the date of the crash [~~accident~~] that resulted in

1 the victim's death.

2 SECTION 11. Sections 201.911(a), (b), and (c),
3 Transportation Code, are amended to read as follows:

4 (a) In this section, "victim" means a person killed in a
5 highway crash [~~accident~~] while operating or riding on a motorcycle.

6 (b) The commission by rule shall establish and administer a
7 memorial sign program to publicly memorialize the victims of
8 motorcycle crashes [~~accidents~~].

9 (c) A sign designed and posted under this section shall
10 include:

11 (1) a red cross;

12 (2) the phrase "In Memory Of" and the name of one or
13 more victims in accordance with the commission rule; and

14 (3) the date of the crash [~~accident~~] that resulted in
15 the victim's death.

16 SECTION 12. Section 222.003(d), Transportation Code, is
17 amended to read as follows:

18 (d) Of the aggregate principal amount of bonds and other
19 public securities that may be issued under this section, the
20 commission shall issue bonds or other public securities in an
21 aggregate principal amount of \$1.2 billion to fund projects that
22 reduce crashes [~~accidents~~] or correct or improve hazardous
23 locations on the state highway system. The commission by rule
24 shall prescribe criteria for selecting projects eligible for
25 funding under this section. In establishing criteria for the
26 projects, the commission shall consider crash [~~accident~~] data,
27 traffic volume, pavement geometry, and other conditions that can

1 create or exacerbate hazardous roadway conditions.

2 SECTION 13. Section 391.038(c-2), Transportation Code, is
3 amended to read as follows:

4 (c-2) Subsection (c-1) does not apply to the rebuilding of a
5 sign under Subsection (c) if the person who holds the permit for the
6 sign rebuilds because of damage to the sign caused by:

- 7 (1) wind or a natural disaster;
- 8 (2) a motor vehicle crash [~~accident~~]; or
- 9 (3) an act of God.

10 SECTION 14. Section 451.108(c), Transportation Code, is
11 amended to read as follows:

12 (c) A peace officer commissioned under this section, except
13 as provided by Subsections (d) and (e), or a peace officer
14 contracted for employment by an authority confirmed before July 1,
15 1985, in which the principal municipality has a population of less
16 than 850,000, may:

17 (1) make an arrest in any county in which the transit
18 authority system is located as necessary to prevent or abate the
19 commission of an offense against the law of this state or a
20 political subdivision of this state if the offense or threatened
21 offense occurs on or involves the transit authority system;

22 (2) make an arrest for an offense involving injury or
23 detriment to the transit authority system;

24 (3) enforce traffic laws and investigate traffic
25 crashes [~~accidents~~] that involve or occur in the transit authority
26 system; and

27 (4) provide emergency and public safety services to

1 the transit authority system or users of the transit authority
2 system.

3 SECTION 15. Section 451.454(c), Transportation Code, is
4 amended to read as follows:

5 (c) Each audit must include an examination of:

6 (1) one or more of the following:

7 (A) the administration and management of the
8 authority;

9 (B) transit operations; or

10 (C) transit authority system maintenance;

11 (2) the authority's compliance with applicable state
12 law, including this chapter; and

13 (3) the following performance indicators:

14 (A) operating cost per passenger, per revenue
15 mile, and per revenue hour;

16 (B) sales and use tax receipts per passenger;

17 (C) fare recovery rate;

18 (D) average vehicle occupancy;

19 (E) on-time performance;

20 (F) number of crashes [~~accidents~~] per 100,000
21 miles; and

22 (G) number of miles between mechanical road
23 calls.

24 SECTION 16. Section 451.455(h), Transportation Code, is
25 amended to read as follows:

26 (h) The number of crashes [~~accidents~~] per 100,000 miles is
27 computed by multiplying the annual number of crashes [~~accidents~~] by

1 100,000 and dividing the product by the number of miles for all
2 service, including charter and nonrevenue service, directly
3 operated by the authority for the same period. In this subsection,
4 "crash [~~accident~~]" includes:

5 (1) a collision that involves an authority's revenue
6 vehicle, other than a lawfully parked revenue vehicle, and that
7 results in property damage, injury, or death; and

8 (2) an incident that results in the injury or death of
9 a person on board or boarding or alighting from an authority's
10 revenue vehicle.

11 SECTION 17. Section 452.062(b), Transportation Code, is
12 amended to read as follows:

13 (b) An authority may use contracts, rating plans, and risk
14 management programs designed to encourage crash [~~accident~~]
15 prevention.

16 SECTION 18. Section 452.454(c), Transportation Code, is
17 amended to read as follows:

18 (c) Each audit must include an examination of:

19 (1) one or more of the following:

20 (A) the administration and management of the
21 authority;

22 (B) transit operations; or

23 (C) transit authority system maintenance;

24 (2) the authority's compliance with applicable state
25 law, including this chapter; and

26 (3) the following performance indicators:

27 (A) subsidy per passenger, operating cost per

1 revenue mile, and operating cost per revenue hour;

2 (B) sales and use tax receipts per passenger;

3 (C) fare recovery rate;

4 (D) number of passengers per hour;

5 (E) on-time performance;

6 (F) number of crashes [~~accidents~~] per 100,000
7 miles; and

8 (G) number of miles between mechanical service
9 calls.

10 SECTION 19. Section 452.455(i), Transportation Code, is
11 amended to read as follows:

12 (i) The number of crashes [~~accidents~~] per 100,000 miles is
13 computed by multiplying the annual number of crashes [~~accidents~~] by
14 100,000 and dividing the product by the number of miles for all
15 service, including charter and nonrevenue service for the same
16 period. In this subsection, "crash [~~accident~~]" includes:

17 (1) a collision that involves an authority's revenue
18 vehicle, other than a lawfully parked revenue vehicle, and results
19 in property damage, injury, or death; and

20 (2) an operating incident resulting in the injury or
21 death of a person on board or boarding or alighting from an
22 authority's revenue vehicle.

23 SECTION 20. Section 460.110(b), Transportation Code, is
24 amended to read as follows:

25 (b) An authority may use contracts, rating plans, and risk
26 management programs designed to encourage crash [~~accident~~]
27 prevention.

1 SECTION 21. Section 463.065(b), Transportation Code, is
2 amended to read as follows:

3 (b) An authority may use contracts, rating plans, and risk
4 management programs designed to encourage crash [~~accident~~]
5 prevention.

6 SECTION 22. Section 521.025(c), Transportation Code, is
7 amended to read as follows:

8 (c) A person who violates this section commits an
9 offense. An offense under this subsection is a misdemeanor
10 punishable by a fine not to exceed \$200, except that:

11 (1) for a second conviction within one year after the
12 date of the first conviction, the offense is a misdemeanor
13 punishable by a fine of not less than \$25 or more than \$200;

14 (2) for a third or subsequent conviction within one
15 year after the date of the second conviction the offense is a
16 misdemeanor punishable by:

17 (A) a fine of not less than \$25 or more than \$500;

18 (B) confinement in the county jail for not less
19 than 72 hours or more than six months; or

20 (C) both the fine and confinement; and

21 (3) if it is shown on the trial of the offense that at
22 the time of the offense the person was operating the motor vehicle
23 in violation of Section 601.191 and caused or was at fault in a
24 motor vehicle crash [~~accident~~] that resulted in serious bodily
25 injury to or the death of another person, an offense under this
26 section is a Class A misdemeanor.

27 SECTION 23. Section 521.042, Transportation Code, is

1 amended to read as follows:

2 Sec. 521.042. CRASH [~~ACCIDENT~~] AND CONVICTION REPORTS;
3 INDIVIDUAL RECORDS. (a) Except as provided by this section, the
4 department shall record each crash [~~accident~~] report and abstract
5 of the court record of a conviction received by the department under
6 a law of this state.

7 (b) The records must enable the department to consider, on
8 receipt of a renewal application and at other suitable times, the
9 record of each license holder that shows any:

10 (1) conviction of that license holder; and

11 (2) traffic crash [~~accident~~] in which the license
12 holder has been involved.

13 (c) The record of a license holder who is employed as a peace
14 officer, fire fighter, or emergency medical services employee of
15 this state, a political subdivision of this state, or a special
16 purpose district may not include information relating to a traffic
17 crash [~~accident~~] that occurs while the peace officer, fire fighter,
18 or emergency medical services employee is driving an official
19 vehicle in the course and scope of the license holder's official
20 duties if:

21 (1) the traffic crash [~~accident~~] resulted in damages
22 to property of less than \$1,000; or

23 (2) an investigation of the crash [~~accident~~] by a
24 peace officer, other than a peace officer involved in the crash
25 [~~accident~~], determines that the peace officer, fire fighter, or
26 emergency medical services employee involved in the crash
27 [~~accident~~] was not at fault.

1 (d) Before issuing or renewing a license, the department
2 shall examine the record of the applicant for information relating
3 to a conviction of a traffic violation or involvement in a traffic
4 crash [~~accident~~]. The department may not issue or renew a license
5 if the department determines that the issuance or renewal of the
6 license would be inimical to the public safety.

7 (e) The director may maintain records required under this
8 subchapter on microfilm or computer.

9 SECTION 24. The heading to Section 521.046, Transportation
10 Code, is amended to read as follows:

11 Sec. 521.046. DISCLOSURE OF CRASH [~~ACCIDENT~~] AND CONVICTION
12 INFORMATION.

13 SECTION 25. Section 521.046(a), Transportation Code, is
14 amended to read as follows:

15 (a) In addition to the information authorized to be released
16 under Section 521.045, on receipt of a written request and payment
17 of a \$6 fee, the department may disclose that information and
18 information regarding each reported motor vehicle moving
19 violation, as defined by department rule, resulting in a traffic
20 law conviction and each motor vehicle crash [~~accident~~] in which the
21 individual received a citation, by date and location, within the
22 three years preceding the date of the request, to a person who:

23 (1) is eligible to receive the information under
24 Chapter 730; and

25 (2) submits to the department the individual's
26 driver's license number or the individual's full name and date of
27 birth.

1 SECTION 26. Section 521.047(b), Transportation Code, is
2 amended to read as follows:

3 (b) The department may disclose information as recorded in
4 department records that relates to:

5 (1) the individual's date of birth;

6 (2) the current license status of the individual;

7 (3) the individual's most recent address;

8 (4) the completion of an approved driver education
9 course by the individual;

10 (5) the fact of, but not the reason for, completion of
11 a driver safety course by the individual; and

12 (6) each of the individual's reported traffic law
13 violations and motor vehicle crashes [~~accidents~~], by date and
14 location.

15 SECTION 27. Section 521.049(e), Transportation Code, is
16 amended to read as follows:

17 (e) A driver's license record or personal identification
18 certificate record provided under Subsection (d)(1) may not include
19 information relating to an individual's social security number or
20 any crash [~~accident~~] or conviction information about an individual.

21 SECTION 28. Section 521.060(a), Transportation Code, is
22 amended to read as follows:

23 (a) The department shall maintain in its files a record of
24 the name, address, and telephone number of each individual
25 identified by the holder of a driver's license or personal
26 identification certificate as an individual the holder authorizes
27 to be contacted in the event that the holder is injured or dies in or

1 as a result of a vehicular crash [~~accident~~] or another emergency
2 situation. In addition, the department shall maintain in its files
3 a record of any medical information described by Section 521.125(a)
4 that is provided to the department under Subsection (c) or any
5 health condition information that is voluntarily provided to the
6 department under Section 521.142(h).

7 SECTION 29. Section 521.292(a), Transportation Code, is
8 amended to read as follows:

9 (a) The department shall suspend the person's license if the
10 department determines that the person:

11 (1) has operated a motor vehicle on a highway while the
12 person's license was suspended, canceled, disqualified, or
13 revoked, or without a license after an application for a license was
14 denied;

15 (2) is a habitually reckless or negligent operator of
16 a motor vehicle;

17 (3) is a habitual violator of the traffic laws;

18 (4) has permitted the unlawful or fraudulent use of
19 the person's license;

20 (5) has committed an offense in another state or
21 Canadian province that, if committed in this state, would be
22 grounds for suspension;

23 (6) has been convicted of two or more separate
24 offenses of a violation of a restriction imposed on the use of the
25 license;

26 (7) has been responsible as a driver for any crash
27 [~~accident~~] resulting in serious personal injury or serious property

1 damage;

2 (8) is under 18 years of age and has been convicted of
3 two or more moving violations committed within a 12-month period;
4 or

5 (9) has committed an offense under Section 545.421.

6 SECTION 30. Section 521.457(f-2), Transportation Code, is
7 amended to read as follows:

8 (f-2) An offense under this section is a Class A misdemeanor
9 if it is shown on the trial of the offense that at the time of the
10 offense the person was operating the motor vehicle in violation of
11 Section 601.191 and caused or was at fault in a motor vehicle crash
12 [~~accident~~] that resulted in serious bodily injury to or the death of
13 another person.

14 SECTION 31. Section 522.003(25), Transportation Code, is
15 amended to read as follows:

16 (25) "Serious traffic violation" means:

17 (A) a conviction arising from the driving of a
18 motor vehicle, other than a parking, vehicle weight, or vehicle
19 defect violation, for:

20 (i) excessive speeding, involving a single
21 charge of driving 15 miles per hour or more above the posted speed
22 limit;

23 (ii) reckless driving, as defined by state
24 or local law;

25 (iii) a violation of a state or local law
26 related to motor vehicle traffic control, including a law
27 regulating the operation of vehicles on highways, arising in

1 connection with a fatal crash [~~accident~~];

2 (iv) improper or erratic traffic lane
3 change;

4 (v) following the vehicle ahead too
5 closely; or

6 (vi) a violation of Sections 522.011 or
7 522.042; or

8 (B) a violation of Section 522.015.

9 SECTION 32. Section 522.081(b), Transportation Code, is
10 amended to read as follows:

11 (b) Except as provided by this subsection, this subsection
12 applies to a violation committed while operating any type of motor
13 vehicle, including a commercial motor vehicle. A person who holds
14 a commercial driver's license or commercial learner's permit is
15 disqualified from driving a commercial motor vehicle for one year:

16 (1) if convicted of three violations of a law that
17 regulates the operation of a motor vehicle at a railroad grade
18 crossing that occur within a three-year period;

19 (2) on first conviction of:

20 (A) driving a motor vehicle under the influence
21 of alcohol or a controlled substance, including a violation of
22 Section 49.04, 49.045, or 49.07, Penal Code;

23 (B) leaving the scene of a crash [~~an accident~~]
24 involving a motor vehicle driven by the person;

25 (C) using a motor vehicle in the commission of a
26 felony, other than a felony described by Subsection (d)(2);

27 (D) causing the death of another person through

1 the negligent or criminal operation of a motor vehicle; or

2 (E) driving a commercial motor vehicle while the
3 person's commercial driver's license or commercial learner's permit
4 is revoked, suspended, or canceled, or while the person is
5 disqualified from driving a commercial motor vehicle, for an action
6 or conduct that occurred while operating a commercial motor
7 vehicle;

8 (3) for refusing to submit to a test under Chapter 724
9 to determine the person's alcohol concentration or the presence in
10 the person's body of a controlled substance or drug while operating
11 a motor vehicle in a public place; or

12 (4) if an analysis of the person's blood, breath, or
13 urine under Chapter 522, 524, or 724 determines that the person:

14 (A) had an alcohol concentration of 0.04 or more,
15 or that a controlled substance or drug was present in the person's
16 body, while operating a commercial motor vehicle in a public place;
17 or

18 (B) had an alcohol concentration of 0.08 or more
19 while operating a motor vehicle, other than a commercial motor
20 vehicle, in a public place.

21 SECTION 33. Section 523.005(a), Transportation Code, is
22 amended to read as follows:

23 (a) The licensing authority in the home state, for the
24 purpose of suspension, revocation, cancellation, denial,
25 disqualification, or limitation of the privilege to operate a motor
26 vehicle, shall give the same effect to the conduct reported
27 pursuant to Section 523.004 as it would if such conduct had occurred

1 in the home state in the case of conviction for:

2 (1) manslaughter or negligent homicide resulting from
3 the operation of a motor vehicle;

4 (2) driving a motor vehicle while under the influence
5 of alcoholic beverages or a narcotic to a degree which renders the
6 driver incapable of safely driving a motor vehicle;

7 (3) any felony in the commission of which a motor
8 vehicle is used; or

9 (4) failure to stop and render aid or information in
10 the event of a motor vehicle crash [~~accident~~] resulting in the death
11 or personal injury of another.

12 SECTION 34. Section 542.206, Transportation Code, is
13 amended to read as follows:

14 Sec. 542.206. EFFECT OF SPEED LIMITS IN A CIVIL ACTION. A
15 provision of this subtitle declaring a maximum or minimum speed
16 limit does not relieve the plaintiff in a civil action from the
17 burden of proving negligence of the defendant as the proximate
18 cause of a crash [~~an accident~~].

19 SECTION 35. Section 542.4045, Transportation Code, is
20 amended to read as follows:

21 Sec. 542.4045. PENALTIES FOR FAILURE TO YIELD RIGHT-OF-WAY
22 OFFENSE RESULTING IN CRASH [~~ACCIDENT~~]. If it is shown on the trial
23 of an offense under this subtitle in which an element is the failure
24 by the operator of a vehicle to yield the right-of-way to another
25 vehicle that a crash [~~an accident~~] resulted from the operator's
26 failure to yield the right-of-way:

27 (1) the offense is punishable by a fine of not less

1 than \$500 or more than \$2,000, if a person other than the operator
2 of the vehicle suffered bodily injury, as defined by Section 1.07,
3 Penal Code, in the crash [~~accident~~]; and

4 (2) the offense is punishable by a fine of not less
5 than \$1,000 or more than \$4,000, if a person other than the operator
6 of the vehicle suffered serious bodily injury, as defined by
7 Section 1.07, Penal Code, in the crash [~~accident~~].

8 SECTION 36. Section 543.002(a), Transportation Code, is
9 amended to read as follows:

10 (a) A person arrested for a violation of this subtitle
11 punishable as a misdemeanor shall be immediately taken before a
12 magistrate if:

13 (1) the person is arrested on a charge of failure to
14 stop in the event of a crash [~~an accident~~] causing damage to
15 property; or

16 (2) the person demands an immediate appearance before
17 a magistrate or refuses to make a written promise to appear in court
18 as provided by this subchapter.

19 SECTION 37. Section 543.011(c), Transportation Code, is
20 amended to read as follows:

21 (c) The law enforcement agency shall:

22 (1) as soon as practicable contact the United States
23 Department of State to verify the person's status and immunity, if
24 any; and

25 (2) not later than the fifth working day after the date
26 of the stop or issuance of the notice to appear, send to the Bureau
27 of Diplomatic Security Office of Foreign Missions of the United

1 States Department of State the following:

2 (A) a copy of any notice to appear issued to the
3 person and any crash [~~accident~~] report prepared; or

4 (B) if a notice to appear was not issued and a
5 crash [~~an accident~~] report was not prepared, a written report of the
6 incident.

7 SECTION 38. Section 545.356(d), Transportation Code, is
8 amended to read as follows:

9 (d) The governing body of a municipality that declares a
10 lower speed limit on a highway or part of a highway under Subsection
11 (b-1) or (b-3), not later than February 1 of each year, shall
12 publish on its Internet website and submit to the department a
13 report that compares for each of the two previous calendar years:

14 (1) the number of traffic citations issued by peace
15 officers of the municipality and the alleged speed of the vehicles,
16 for speed limit violations on the highway or part of the highway;

17 (2) the number of warning citations issued by peace
18 officers of the municipality on the highway or part of the highway;
19 and

20 (3) the number of vehicular crashes [~~accidents~~] that
21 resulted in injury or death and were attributable to speed limit
22 violations on the highway or part of the highway.

23 SECTION 39. Section 545.3561, Transportation Code, is
24 amended to read as follows:

25 Sec. 545.3561. AUTHORITY OF MUNICIPALITY OR COUNTY TO
26 TEMPORARILY LOWER SPEED LIMIT AT VEHICULAR CRASH [~~ACCIDENT~~]
27 RECONSTRUCTION SITE. (a) The governing body of a municipality by

1 ordinance may give a designated official with transportation
2 engineering experience establishing speed limits discretion to
3 temporarily lower a prima facie speed limit for a highway or part of
4 a highway in the municipality, including a highway of the state
5 highway system, at the site of an investigation using vehicular
6 crash [~~accident~~] reconstruction.

7 (b) A county commissioners court by order may give a
8 designated official with transportation engineering experience
9 establishing speed limits discretion to temporarily lower prima
10 facie speed limits for a county road or highway outside the
11 boundaries of a municipality at the site of an investigation using
12 vehicular crash [~~accident~~] reconstruction. The authority granted
13 under this subsection does not include a road or highway in the
14 state highway system.

15 (c) The Texas Department of Transportation shall develop
16 safety guidelines for the use of vehicular crash [~~accident~~]
17 reconstruction in investigations. A municipality, county, or
18 designated official shall comply with the guidelines.

19 (d) A designated official may temporarily lower prima facie
20 speed limits without the approval of or permission from the Texas
21 Department of Transportation. A designated official who intends
22 to temporarily lower a prima facie speed limit at the site of an
23 investigation using vehicular crash [~~accident~~] reconstruction
24 shall, at least 48 hours before temporary speed limit signs are
25 posted for the vehicular crash [~~accident~~] reconstruction site,
26 provide to the Texas Department of Transportation notice that
27 includes:

1 (1) the date and time of the crash [~~accident~~]
2 reconstruction;

3 (2) the location of the crash [~~accident~~]
4 reconstruction site;

5 (3) the entities involved at the site;

6 (4) the general size of the area affected by the site;
7 and

8 (5) an estimate of how long the site will be used for
9 the crash [~~accident~~] reconstruction.

10 (e) A temporary speed limit established under this section:

11 (1) is a prima facie prudent and reasonable speed
12 limit enforceable in the same manner as other prima facie speed
13 limits established under other provisions of this subchapter; and

14 (2) supersedes any other established speed limit that
15 would permit a person to operate a motor vehicle at a higher rate of
16 speed.

17 (f) A designated official who temporarily lowers a speed
18 limit shall:

19 (1) place and maintain at the vehicular crash
20 [~~accident~~] reconstruction site temporary speed limit signs that
21 conform to the manual and specifications adopted under Section
22 [544.001](#);

23 (2) temporarily conceal all other signs on the highway
24 segment affected by the vehicular crash [~~accident~~] reconstruction
25 site that give notice of a speed limit that would permit a person to
26 operate a motor vehicle at a higher rate of speed; and

27 (3) remove all temporary speed limit signs placed

1 under Subdivision (1) and concealments of other signs placed under
2 Subdivision (2) when the official finds that the vehicular crash
3 [~~accident~~] reconstruction is complete and all equipment is removed
4 from the vehicular crash [~~accident~~] reconstruction site.

5 (g) A temporary speed limit established under this section
6 is effective when a designated official places temporary speed
7 limit signs and conceals other signs that would permit a person to
8 operate a motor vehicle at a higher rate of speed as required under
9 Subsection (f).

10 (h) A temporary speed limit established under this section
11 is effective until the designated official under Subsection (a) or
12 (b):

13 (1) finds that the vehicular crash [~~accident~~]
14 reconstruction is complete; and

15 (2) removes all temporary signs, concealments, and
16 equipment used at the vehicular crash [~~accident~~] reconstruction
17 site.

18 (i) If a designated official does not comply with the
19 requirements of Subsection (f)(3) for a vehicular crash [~~accident~~]
20 reconstruction on a state highway associated with the
21 reconstruction, the Texas Department of Transportation may remove
22 signs and concealments.

23 SECTION 40. Section [545.4121\(b\)](#), Transportation Code, is
24 amended to read as follows:

25 (b) It is a defense to prosecution of an offense to which
26 this section applies that the defendant provides to the court
27 evidence satisfactory to the court that:

1 (1) at the time of the offense:

2 (A) the defendant was not arrested or issued a
3 citation for violation of any other offense;

4 (B) the defendant did not possess a child
5 passenger safety seat system in the vehicle; and

6 (C) the vehicle the defendant was operating was
7 not involved in a crash [~~an accident~~]; and

8 (2) subsequent to the time of the offense,
9 the defendant obtained an appropriate child passenger safety seat
10 system for each child required to be secured in a child passenger
11 safety seat system under Section 545.412(a).

12 SECTION 41. Section 545.420(i), Transportation Code, is
13 amended to read as follows:

14 (i) This subsection applies only to a motor vehicle used in
15 the commission of an offense under this section that results in a
16 crash [~~an accident~~] with property damage or personal injury. A
17 peace officer shall require the vehicle to be taken to the nearest
18 licensed vehicle storage facility unless the vehicle is seized as
19 evidence, in which case the vehicle may be taken to a storage
20 facility as designated by the peace officer
21 involved. Notwithstanding Article 18.23, Code of Criminal
22 Procedure, the owner of a motor vehicle that is removed or stored
23 under this subsection is liable for all removal and storage fees
24 incurred and is not entitled to take possession of the vehicle until
25 those fees are paid.

26 SECTION 42. Section 545.455, Transportation Code, is
27 amended to read as follows:

1 Sec. 545.455. DUTIES FOLLOWING CRASH [~~ACCIDENT~~] INVOLVING
2 AUTOMATED MOTOR VEHICLE. In the event of a crash [~~an accident~~]
3 involving an automated motor vehicle, the automated motor vehicle
4 or any human operator of the automated motor vehicle shall comply
5 with Chapter 550.

6 SECTION 43. Section 547.305(d), Transportation Code, is
7 amended to read as follows:

8 (d) A vehicle may be equipped with alternately flashing
9 lighting equipment described by Section 547.701 or 547.702 only if
10 the vehicle is:

- 11 (1) a school bus;
- 12 (2) an authorized emergency vehicle;
- 13 (3) a church bus that has the words "church bus"
14 printed on the front and rear of the bus so as to be clearly
15 discernable to other vehicle operators;
- 16 (4) a tow truck while under the direction of a law
17 enforcement officer at the scene of a crash [~~an accident~~] or while
18 hooking up to a disabled vehicle on a roadway; or
- 19 (5) a tow truck with a mounted light bar which has turn
20 signals and stop lamps in addition to those required by Sections
21 547.322, 547.323, and 547.324, Transportation Code.

22 SECTION 44. Section 547.615(a)(2), Transportation Code, is
23 amended to read as follows:

24 (2) "Recording device" means a feature that is
25 installed by the manufacturer in a motor vehicle and that does any
26 of the following for the purpose of retrieving information from the
27 vehicle after a crash [~~an accident~~] in which the vehicle has been

1 involved:

2 (A) records the speed and direction the vehicle
3 is traveling;

4 (B) records vehicle location data;

5 (C) records steering performance;

6 (D) records brake performance, including
7 information on whether brakes were applied before a crash [~~an~~
8 ~~accident~~];

9 (E) records the driver's safety belt status; or

10 (F) transmits information concerning the crash
11 [~~accident~~] to a central communications system when the crash
12 [~~accident~~] occurs.

13 SECTION 45. Section 547.615(c), Transportation Code, is
14 amended to read as follows:

15 (c) Information recorded or transmitted by a recording
16 device may not be retrieved by a person other than the owner of the
17 motor vehicle in which the recording device is installed except:

18 (1) on court order;

19 (2) with the consent of the owner for any purpose,
20 including for the purpose of diagnosing, servicing, or repairing
21 the motor vehicle;

22 (3) for the purpose of improving motor vehicle safety,
23 including for medical research on the human body's reaction to
24 motor vehicle crashes [~~accidents~~], if the identity of the owner or
25 driver of the vehicle is not disclosed in connection with the
26 retrieved information; or

27 (4) for the purpose of determining the need for or

1 facilitating emergency medical response in the event of a motor
2 vehicle crash [~~accident~~].

3 SECTION 46. Section 548.053(b), Transportation Code, is
4 amended to read as follows:

5 (b) A vehicle that is inspected and is subsequently involved
6 in a crash or other incident [~~an accident~~] affecting the safe
7 operation of an item of inspection must be reinspected following
8 repair. The reinspection must be at an inspection station and shall
9 be treated and charged as an initial inspection.

10 SECTION 47. The heading to Chapter 550, Transportation
11 Code, is amended to read as follows:

12 CHAPTER 550. CRASHES [~~ACCIDENTS~~] AND CRASH [~~ACCIDENT~~] REPORTS

13 SECTION 48. The heading to Subchapter B, Chapter 550,
14 Transportation Code, is amended to read as follows:

15 SUBCHAPTER B. DUTIES FOLLOWING CRASH [~~ACCIDENT~~]

16 SECTION 49. Section 550.021, Transportation Code, is
17 amended to read as follows:

18 Sec. 550.021. CRASH [~~ACCIDENT~~] INVOLVING PERSONAL INJURY OR
19 DEATH. (a) The operator of a vehicle involved in a crash [~~an~~
20 ~~accident~~] that results or is reasonably likely to result in injury
21 to or death of a person shall:

22 (1) immediately stop the vehicle at the scene of the
23 crash [~~accident~~] or as close to the scene as possible;

24 (2) immediately return to the scene of the crash
25 [~~accident~~] if the vehicle is not stopped at the scene of the crash
26 [~~accident~~];

27 (3) immediately determine whether a person is involved

1 in the crash [~~accident~~], and if a person is involved in the crash
2 [~~accident~~], whether that person requires aid; and

3 (4) remain at the scene of the crash [~~accident~~] until
4 the operator complies with the requirements of Section 550.023.

5 (b) An operator of a vehicle required to stop the vehicle by
6 Subsection (a) shall do so without obstructing traffic more than is
7 necessary.

8 (c) A person commits an offense if the person does not stop
9 or does not comply with the requirements of this section. An
10 offense under this section:

11 (1) involving a crash [~~an accident~~] resulting in:

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

14 (B) serious bodily injury, as defined by Section
15 1.07, Penal Code, to a person is a felony of the third degree; and

16 (2) involving a crash [~~an accident~~] resulting in
17 injury to which Subdivision (1) does not apply is punishable by:

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

21 (B) a fine not to exceed \$5,000; or

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

24 SECTION 50. The heading to Section 550.022, Transportation
25 Code, is amended to read as follows:

26 Sec. 550.022. CRASH [~~ACCIDENT~~] INVOLVING DAMAGE TO VEHICLE.

27 SECTION 51. Sections 550.022(a) and (b), Transportation

1 Code, are amended to read as follows:

2 (a) Except as provided by Subsection (b), the operator of a
3 vehicle involved in a crash [~~an accident~~] resulting only in damage
4 to a vehicle that is driven or attended by a person shall:

5 (1) immediately stop the vehicle at the scene of the
6 crash [~~accident~~] or as close as possible to the scene of the crash
7 [~~accident~~] without obstructing traffic more than is necessary;

8 (2) immediately return to the scene of the crash
9 [~~accident~~] if the vehicle is not stopped at the scene of the crash
10 [~~accident~~]; and

11 (3) remain at the scene of the crash [~~accident~~] until
12 the operator complies with the requirements of Section 550.023.

13 (b) If a crash [~~an accident~~] occurs on a main lane, ramp,
14 shoulder, median, or adjacent area of a freeway in a metropolitan
15 area and each vehicle involved can be normally and safely driven,
16 each operator shall move the operator's vehicle as soon as possible
17 to a designated crash [~~accident~~] investigation site, if available,
18 a location on the frontage road, the nearest suitable cross street,
19 or other suitable location to complete the requirements of Section
20 550.023 and minimize interference with freeway traffic.

21 SECTION 52. Section 550.023, Transportation Code, is
22 amended to read as follows:

23 Sec. 550.023. DUTY TO GIVE INFORMATION AND RENDER AID. The
24 operator of a vehicle involved in a crash [~~an accident~~] resulting in
25 the injury or death of a person or damage to a vehicle that is driven
26 or attended by a person shall:

27 (1) give the operator's name and address, the

1 registration number of the vehicle the operator was driving, and
2 the name of the operator's motor vehicle liability insurer to any
3 person injured or the operator or occupant of or person attending a
4 vehicle involved in the collision;

5 (2) if requested and available, show the operator's
6 driver's license to a person described by Subdivision (1); and

7 (3) provide any person injured in the crash [~~accident~~]
8 reasonable assistance, including transporting or making
9 arrangements for transporting the person to a physician or hospital
10 for medical treatment if it is apparent that treatment is
11 necessary, or if the injured person requests the transportation.

12 SECTION 53. Section 550.025(a), Transportation Code, is
13 amended to read as follows:

14 (a) The operator of a vehicle involved in a crash [~~an~~
15 ~~accident~~] resulting only in damage to a structure adjacent to a
16 highway or a fixture or landscaping legally on or adjacent to a
17 highway shall:

18 (1) take reasonable steps to locate and notify the
19 owner or person in charge of the property of the crash [~~accident~~]
20 and of the operator's name and address and the registration number
21 of the vehicle the operator was driving; and

22 (2) if requested and available, show the operator's
23 driver's license to the owner or person in charge of the property.

24 SECTION 54. Section 550.026, Transportation Code, is
25 amended to read as follows:

26 Sec. 550.026. IMMEDIATE REPORT OF CRASH [~~ACCIDENT~~]. (a)
27 The operator of a vehicle involved in a crash [~~an accident~~]

1 resulting in injury to or death of a person or damage to a vehicle to
2 the extent that it cannot be normally and safely driven shall
3 immediately by the quickest means of communication give notice of
4 the crash [~~accident~~] to the:

5 (1) local police department if the crash [~~accident~~]
6 occurred in a municipality;

7 (2) local police department or the sheriff's office if
8 the crash [~~accident~~] occurred not more than 100 feet outside the
9 limits of a municipality; or

10 (3) sheriff's office or the nearest office of the
11 department if the crash [~~accident~~] is not required to be reported
12 under Subdivision (1) or (2).

13 (b) If a section of road is within 100 feet of the limits of
14 more than one municipality, the municipalities may agree regarding
15 the maintenance of reports made under Subsection (a)(2). A county
16 may agree with municipalities in the county regarding the
17 maintenance of reports made under Subsection (a)(2). An agreement
18 under this subsection does not affect the duty to report a crash [~~an~~
19 ~~accident~~] under Subsection (a).

20 SECTION 55. The heading to Subchapter C, Chapter 550,
21 Transportation Code, is amended to read as follows:

22 SUBCHAPTER C. INVESTIGATION OF CRASH [~~ACCIDENT~~]

23 SECTION 56. Section 550.041(a), Transportation Code, is
24 amended to read as follows:

25 (a) A peace officer who is notified of a motor vehicle crash
26 [~~accident~~] resulting in injury to or death of a person or property
27 damage to an apparent extent of at least \$1,000 may investigate the

1 crash [~~accident~~] and file justifiable charges relating to the crash
2 [~~accident~~] without regard to whether the crash [~~accident~~] occurred
3 on property to which this chapter applies.

4 SECTION 57. The heading to Subchapter D, Chapter 550,
5 Transportation Code, is amended to read as follows:

6 SUBCHAPTER D. WRITTEN CRASH [~~ACCIDENT~~] REPORT

7 SECTION 58. Section 550.062, Transportation Code, is
8 amended to read as follows:

9 Sec. 550.062. OFFICER'S CRASH [~~ACCIDENT~~] REPORT. (a) A law
10 enforcement officer who in the regular course of duty investigates
11 a motor vehicle crash [~~accident~~] shall make a written report of the
12 crash [~~accident~~] if the crash [~~accident~~] resulted in injury to or
13 the death of a person or damage to the property of any one person to
14 the apparent extent of \$1,000 or more.

15 (b) The report required by Subsection (a) must be filed
16 electronically with the department not later than the 10th day
17 after the date of the crash [~~accident~~].

18 (b-1) If the motor vehicle crash [~~accident~~] involved a
19 combination of vehicles operating under a permit issued under
20 Section 623.402, the report required by Subsection (a) must include
21 the weight and the number of axles of the vehicle combination.

22 (c) This section applies without regard to whether the
23 officer investigates the crash [~~accident~~] at the location of the
24 crash [~~accident~~] and immediately after the crash [~~accident~~] or
25 afterwards by interviewing those involved in the crash [~~accident~~]
26 or witnesses to the crash [~~accident~~].

27 SECTION 59. Section 550.063, Transportation Code, is

1 amended to read as follows:

2 Sec. 550.063. REPORT ON APPROPRIATE FORM. The form of all
3 written crash [~~accident~~] reports must be approved by the department
4 and the Department of Public Safety. A person who is required to
5 file a written crash [~~accident~~] report shall report on the
6 appropriate form and shall disclose all information required by the
7 form unless the information is not available.

8 SECTION 60. Section 550.064, Transportation Code, is
9 amended to read as follows:

10 Sec. 550.064. CRASH [~~ACCIDENT~~] REPORT FORMS. (a) The
11 department shall prepare and when requested supply to police
12 departments, coroners, sheriffs, garages, and other suitable
13 agencies or individuals the crash [~~accident~~] report forms
14 appropriate for the persons required to make a report and
15 appropriate for the purposes to be served by those reports.

16 (b) A crash [~~An accident~~] report form prepared by the
17 department must:

18 (1) require sufficiently detailed information to
19 disclose the cause and conditions of and the persons and vehicles
20 involved in a crash [~~an accident~~] if the form is for the report to be
21 made by a person investigating the crash [~~accident~~];

22 (2) include a way to designate and identify a peace
23 officer, firefighter, or emergency medical services employee who is
24 involved in a crash [~~an accident~~] while driving a law enforcement
25 vehicle, fire department vehicle, or emergency medical services
26 vehicle while performing the person's duties;

27 (3) require a statement by a person described by

1 Subdivision (2) as to the nature of the crash [~~accident~~]; and

2 (4) include a way to designate whether an individual
3 involved in a crash [~~an accident~~] wants to be contacted by a person
4 seeking to obtain employment as a professional described by Section
5 38.01(12), Penal Code.

6 SECTION 61. Section 550.065, Transportation Code, is
7 amended to read as follows:

8 Sec. 550.065. RELEASE OF CERTAIN INFORMATION RELATING TO
9 CRASHES [~~ACCIDENTS~~]. (a) This section applies only to the
10 following information that is held by the department or another
11 governmental entity:

12 (1) a written report of a crash [~~an accident~~] required
13 under:

14 (A) Section 550.062; or

15 (B) former Section 550.061 or 601.004 before
16 September 1, 2017; or

17 (2) crash [~~accident~~] report information compiled
18 under Section 201.806.

19 (b) Except as provided by Subsection (c), (c-1), or (e), the
20 information is privileged and for the confidential use of:

21 (1) the department; and

22 (2) an agency of the United States, this state, or a
23 local government of this state that has use for the information for
24 crash [~~accident~~] prevention purposes.

25 (c) On written request and payment of any required fee, the
26 department or the governmental entity shall release the information
27 to:

- 1 (1) an entity described by Subsection (b);
- 2 (2) the law enforcement agency that employs the peace
3 officer who investigated the crash [~~accident~~] and sent the
4 information to the department, including an agent of the law
5 enforcement agency authorized by contract to obtain the
6 information;
- 7 (3) the court in which a case involving a person
8 involved in the crash [~~accident~~] is pending if the report is
9 subpoenaed; or
- 10 (4) any person directly concerned in the crash
11 [~~accident~~] or having a proper interest therein, including:
- 12 (A) any person involved in the crash [~~accident~~];
- 13 (B) the authorized representative of any person
14 involved in the crash [~~accident~~];
- 15 (C) a driver involved in the crash [~~accident~~];
- 16 (D) an employer, parent, or legal guardian of a
17 driver involved in the crash [~~accident~~];
- 18 (E) the owner of a vehicle or property damaged in
19 the crash [~~accident~~];
- 20 (F) a person who has established financial
21 responsibility for a vehicle involved in the crash [~~accident~~] in a
22 manner described by Section 601.051, including a policyholder of a
23 motor vehicle liability insurance policy covering the vehicle;
- 24 (G) an insurance company that issued an insurance
25 policy covering a vehicle involved in the crash [~~accident~~];
- 26 (H) an insurance company that issued a policy
27 covering any person involved in the crash [~~accident~~];

1 (I) a person under contract to provide claims or
2 underwriting information to a person described by Paragraph (F),
3 (G), or (H);

4 (J) a radio or television station that holds a
5 license issued by the Federal Communications Commission;

6 (K) a newspaper that is:

7 (i) a free newspaper of general circulation
8 or qualified under Section 2051.044, Government Code, to publish
9 legal notices;

10 (ii) published at least once a week; and

11 (iii) available and of interest to the
12 general public in connection with the dissemination of news; or

13 (L) any person who may sue because of death
14 resulting from the crash [~~accident~~].

15 (c-1) On receiving information to which this section
16 applies, the department or the governmental entity that receives
17 the information shall create a redacted crash [~~accident~~] report
18 that may be requested by any person. The redacted crash [~~accident~~]
19 report may not include the items of information described by
20 Subsection (f)(2). A report released under this subsection is not
21 considered personal information under Section 730.003.

22 (d) The fee for a copy of the crash [~~accident~~] report is
23 \$6. The copy may be certified by the department or the
24 governmental entity for an additional fee of \$2. The department or
25 the governmental entity may issue a certification that no report or
26 information is on file for a fee of \$6.

27 (e) In addition to the information required to be released

1 under Subsection (c), the department may release:

2 (1) crash [~~accident~~] report information compiled
3 under Section 201.806; or

4 (2) a vehicle identification number and specific crash
5 [~~accident~~] information relating to that vehicle.

6 (f) The department when releasing information under
7 Subsection (c-1) or (e):

8 (1) may not release personal information, as defined
9 by Section 730.003; and

10 (2) shall withhold or redact the following items:

11 (A) the first, middle, and last name of any
12 person listed in a crash [~~an accident~~] report, including a vehicle
13 driver, occupant, owner, or lessee, a bicyclist, a pedestrian, or a
14 property owner;

15 (B) the number of any driver's license,
16 commercial driver's license, or personal identification
17 certificate issued to any person listed in a crash [~~an accident~~]
18 report;

19 (C) the date of birth, other than the year, of any
20 person listed in a crash [~~an accident~~] report;

21 (D) the address, other than zip code, and
22 telephone number of any person listed in a crash [~~an accident~~]
23 report;

24 (E) the license plate number of any vehicle
25 listed in a crash [~~an accident~~] report;

26 (F) the name of any insurance company listed as a
27 provider of financial responsibility for a vehicle listed in a a

1 crash [~~an accident~~] report;

2 (G) the number of any insurance policy issued by
3 an insurance company listed as a provider of financial
4 responsibility;

5 (H) the date the peace officer who investigated
6 the crash [~~accident~~] was notified of the crash [~~accident~~];

7 (I) the date the investigating peace officer
8 arrived at the crash [~~accident~~] site;

9 (J) the badge number or identification number of
10 the investigating officer;

11 (K) the date on which any person who died as a
12 result of the crash [~~accident~~] died;

13 (L) the date of any commercial motor vehicle
14 report; and

15 (M) the place where any person injured or killed
16 in a crash [~~an accident~~] was taken and the person or entity that
17 provided the transportation.

18 (g) The amount that may be charged for information provided
19 under Subsection (e) shall be calculated in the manner specified by
20 Chapter 552, Government Code, for public information provided by a
21 governmental body under that chapter.

22 SECTION 62. Section 550.066, Transportation Code, is
23 amended to read as follows:

24 Sec. 550.066. ADMISSIBILITY OF CERTAIN CRASH [~~ACCIDENT~~]
25 REPORT INFORMATION. An individual's response to the information
26 requested on a crash [~~an accident~~] report form as provided by
27 Section 550.064(b)(4) is not admissible evidence in a civil trial.

1 SECTION 63. Section 550.067, Transportation Code, is
2 amended to read as follows:

3 Sec. 550.067. MUNICIPAL AUTHORITY TO REQUIRE CRASH
4 [~~ACCIDENT~~] REPORTS. (a) A municipality by ordinance may require
5 the operator of a vehicle involved in a crash [~~an accident~~] to file
6 with a designated municipal department:

7 (1) a report of the crash [~~accident~~], if the crash
8 [~~accident~~] results in injury to or the death of a person or the
9 apparent total property damage is \$25 or more; or

10 (2) a copy of a report required by this chapter to be
11 filed with the department.

12 (b) A report filed under Subsection (a) is for the
13 confidential use of the municipal department and subject to the
14 provisions of Section 550.065.

15 (c) A municipality by ordinance may require the person in
16 charge of a garage or repair shop where a motor vehicle is brought
17 if the vehicle shows evidence of having been involved in a crash [~~an~~
18 ~~accident~~] described by Section 550.062(a) or shows evidence of
19 having been struck by a bullet to report to a department of the
20 municipality within 24 hours after the garage or repair shop
21 receives the motor vehicle, giving the engine number, registration
22 number, and the name and address of the owner or operator of the
23 vehicle.

24 SECTION 64. Section 550.068, Transportation Code, is
25 amended to read as follows:

26 Sec. 550.068. CHANGING CRASH [~~ACCIDENT~~] REPORT.

27 (a) Except as provided by Subsection (b), a change in or a

1 modification of a written report of a motor vehicle crash
2 [~~accident~~] prepared by a peace officer that alters a material fact
3 in the report may be made only by the peace officer who prepared the
4 report.

5 (b) A change in or a modification of the written report of
6 the crash [~~accident~~] may be made by a person other than the peace
7 officer if:

8 (1) the change is made by a written supplement to the
9 report; and

10 (2) the written supplement clearly indicates the name
11 of the person who originated the change.

12 SECTION 65. Sections [550.081](#)(b) and (c), Transportation
13 Code, are amended to read as follows:

14 (b) A medical examiner or justice of the peace acting as
15 coroner in a county that does not have a medical examiner's office
16 or that is not part of a medical examiner's district shall submit a
17 report in writing to the department of the death of a person that
18 was the result of a traffic crash [~~accident~~] or bridge collapse:

19 (1) to which this chapter applies; and

20 (2) that occurred within the jurisdiction of the
21 medical examiner or justice of the peace in the preceding calendar
22 quarter.

23 (c) The report must be submitted before the 11th day of each
24 calendar month and include:

25 (1) the name of the deceased and a statement as to
26 whether the deceased was:

27 (A) the operator of or a passenger in a vehicle

1 [~~involved in the accident~~]; or

2 (B) a pedestrian or other nonoccupant of a
3 vehicle;

4 (2) the date of the crash [~~accident~~] and the name of
5 the county in which the crash [~~accident~~] occurred, and, if a bridge
6 collapse, the location of the bridge in that county;

7 (3) the name of any laboratory, medical examiner's
8 office, or other facility that conducted toxicological testing
9 relative to the deceased; and

10 (4) the results of any toxicological testing that was
11 conducted.

12 SECTION 66. Section 601.002(3), Transportation Code, is
13 amended to read as follows:

14 (3) "Financial responsibility" means the ability to
15 respond in damages for liability for a crash [~~an accident~~] that:

16 (A) occurs after the effective date of the
17 document evidencing the establishment of the financial
18 responsibility; and

19 (B) arises out of the ownership, maintenance, or
20 use of a motor vehicle.

21 SECTION 67. Section 601.003(b), Transportation Code, is
22 amended to read as follows:

23 (b) For purposes of this chapter, a judgment is considered
24 to be satisfied as to the appropriate part of the judgment set out
25 by this subsection if:

26 (1) the total amount credited on one or more judgments
27 for bodily injury to or death of one person resulting from one crash

1 ~~[accident]~~ equals or exceeds the amount required under Section
2 601.072(a-1)~~[(a)]~~(1) to establish financial responsibility;

3 (2) the total amount credited on one or more judgments
4 for bodily injury to or death of two or more persons resulting from
5 one crash ~~[accident]~~ equals or exceeds the amount required under
6 Section 601.072(a-1)~~[(a)]~~(2) to establish financial
7 responsibility; or

8 (3) the total amount credited on one or more judgments
9 for damage to or destruction of property of another resulting from
10 one crash ~~[accident]~~ equals or exceeds the amount required under
11 Section 601.072(a-1)~~[(a)]~~(3) to establish financial
12 responsibility.

13 SECTION 68. Section 601.006, Transportation Code, is
14 amended to read as follows:

15 Sec. 601.006. APPLICABILITY TO CERTAIN OWNERS AND
16 OPERATORS. If an owner or operator of a motor vehicle involved in a
17 crash ~~[an accident]~~ in this state does not have a driver's license
18 or vehicle registration or is a nonresident, the person may not be
19 issued a driver's license or registration until the person has
20 complied with this chapter to the same extent that would be
21 necessary if, at the time of the crash ~~[accident]~~, the person had a
22 driver's license or registration.

23 SECTION 69. Sections 601.009(b) and (c), Transportation
24 Code, are amended to read as follows:

25 (b) Except as provided by Subsection (c), the department
26 shall suspend the resident's driver's license and vehicle
27 registrations if the evidence shows that the resident's operating

1 privilege was suspended in the other state or the province for
2 violation of a financial responsibility law under circumstances
3 that would require the department to suspend a nonresident's
4 operating privilege had the crash [~~accident~~] occurred in this
5 state.

6 (c) The department may not suspend the resident's driver's
7 license and registration if the alleged failure to comply is based
8 on the failure of the resident's insurance company or surety
9 company to:

10 (1) obtain authorization to write motor vehicle
11 liability insurance in the other state or the province; or

12 (2) execute a power of attorney directing the
13 appropriate official in the other state or the province to accept on
14 the company's behalf service of notice or process in an action under
15 the policy arising out of a crash [~~an accident~~].

16 SECTION 70. Section 601.053(a), Transportation Code, is
17 amended to read as follows:

18 (a) As a condition of operating in this state a motor
19 vehicle to which Section 601.051 applies, the operator of the
20 vehicle on request shall provide to a peace officer, as defined by
21 Article 2.12, Code of Criminal Procedure, or a person involved in a
22 crash [~~an accident~~] with the operator evidence of financial
23 responsibility by exhibiting:

24 (1) a motor vehicle liability insurance policy
25 covering the vehicle that satisfies Subchapter D or a photocopy of
26 the policy;

27 (2) a standard proof of motor vehicle liability

1 insurance form prescribed by the Texas Department of Insurance
2 under Section 601.081 and issued by a liability insurer for the
3 motor vehicle;

4 (2-a) an image displayed on a wireless communication
5 device that includes the information required by Section 601.081 as
6 provided by a liability insurer;

7 (3) an insurance binder that confirms the operator is
8 in compliance with this chapter;

9 (4) a surety bond certificate issued under Section
10 601.121;

11 (5) a certificate of a deposit with the comptroller
12 covering the vehicle issued under Section 601.122;

13 (6) a copy of a certificate of a deposit with the
14 appropriate county judge covering the vehicle issued under Section
15 601.123; or

16 (7) a certificate of self-insurance covering the
17 vehicle issued under Section 601.124 or a photocopy of the
18 certificate.

19 SECTION 71. Section 601.056(e), Transportation Code, is
20 amended to read as follows:

21 (e) The department may not act under Subsection (a)(1) or
22 (2) if:

23 (1) an action for damages on a liability covered by the
24 evidence of financial responsibility is pending;

25 (2) a judgment for damages on a liability covered by
26 the evidence of financial responsibility is not satisfied; or

27 (3) the person for whom the bond has been filed or for

1 whom money or securities have been deposited has, within the two
2 years preceding the request for cancellation or return of the
3 evidence of financial responsibility, been involved as an operator
4 or owner in a motor vehicle crash [~~accident~~] resulting in bodily
5 injury to, or property damage to the property of, another person.

6 SECTION 72. Sections 601.072(a-1) and (b), Transportation
7 Code, are amended to read as follows:

8 (a-1) Effective January 1, 2011, the minimum amounts of
9 motor vehicle liability insurance coverage required to establish
10 financial responsibility under this chapter are:

11 (1) \$30,000 for bodily injury to or death of one person
12 in one crash [~~accident~~];

13 (2) \$60,000 for bodily injury to or death of two or
14 more persons in one crash [~~accident~~], subject to the amount
15 provided by Subdivision (1) for bodily injury to or death of one of
16 the persons; and

17 (3) \$25,000 for damage to or destruction of property
18 of others in one crash [~~accident~~].

19 (b) The coverage required under this section may exclude,
20 with respect to one crash [~~accident~~]:

21 (1) the first \$250 of liability for bodily injury to or
22 death of one person;

23 (2) the first \$500 of liability for bodily injury to or
24 death of two or more persons, subject to the amount provided by
25 Subdivision (1) for bodily injury to or death of one of the persons;
26 and

27 (3) the first \$250 of liability for property damage to

1 or destruction of property of others.

2 SECTION 73. Section 601.084(c), Transportation Code, is
3 amended to read as follows:

4 (c) The department shall accept the certificate of an
5 insurer not authorized to transact business in this state if the
6 certificate otherwise complies with this chapter and the insurance
7 company:

8 (1) executes a power of attorney authorizing the
9 department to accept on its behalf service of notice or process in
10 an action arising out of a motor vehicle crash [~~accident~~] in this
11 state; and

12 (2) agrees in writing that its policies will be
13 treated as conforming to the laws of this state relating to the
14 terms of a motor vehicle liability insurance policy.

15 SECTION 74. Section 601.086, Transportation Code, is
16 amended to read as follows:

17 Sec. 601.086. RESPONSE OF INSURANCE COMPANY IF POLICY NOT
18 IN EFFECT. An insurance company that is notified by the department
19 of a crash [~~an accident~~] in connection with which an owner or
20 operator has reported a motor vehicle liability insurance policy
21 with the company shall advise the department if a policy is not in
22 effect as reported.

23 SECTION 75. Section 601.124(c), Transportation Code, is
24 amended to read as follows:

25 (c) The self-insurer must supplement the certificate with
26 an agreement that, for crashes [~~accidents~~] occurring while the
27 certificate is in force, the self-insurer will pay the same

1 judgments in the same amounts as an insurer would be obligated to
2 pay under an owner's motor vehicle liability insurance policy
3 issued to the self-insurer if such policy were issued.

4 SECTION 76. The heading to Subchapter F, Chapter 601,
5 Transportation Code, is amended to read as follows:

6 SUBCHAPTER F. SECURITY FOLLOWING CRASH [~~ACCIDENT~~]

7 SECTION 77. Section 601.151, Transportation Code, is
8 amended to read as follows:

9 Sec. 601.151. APPLICABILITY OF SUBCHAPTER. (a) This
10 subchapter applies only to a motor vehicle crash [~~accident~~] in this
11 state that results in bodily injury or death or in damage to the
12 property of one person of at least \$1,000.

13 (b) This subchapter does not apply to:

14 (1) an owner or operator who has in effect at the time
15 of the crash [~~accident~~] a motor vehicle liability insurance policy
16 that covers the motor vehicle involved in the crash [~~accident~~];

17 (2) an operator who is not the owner of the motor
18 vehicle, if a motor vehicle liability insurance policy or bond for
19 the operation of a motor vehicle the person does not own is in
20 effect at the time of the crash [~~accident~~];

21 (3) an owner or operator whose liability for damages
22 resulting from the crash [~~accident~~], in the judgment of the
23 department, is covered by another liability insurance policy or
24 bond;

25 (4) an owner or operator, if there was not bodily
26 injury to or damage of the property of a person other than the owner
27 or operator;

1 (5) the owner or operator of a motor vehicle that at
2 the time of the crash [~~accident~~] was legally parked or legally
3 stopped at a traffic signal;

4 (6) the owner of a motor vehicle that at the time of
5 the crash [~~accident~~] was being operated without the owner's express
6 or implied permission or was parked by a person who had been
7 operating the vehicle without that permission; or

8 (7) a person qualifying as a self-insurer under
9 Section 601.124 or a person operating a motor vehicle for a
10 self-insurer.

11 SECTION 78. Section 601.152(a), Transportation Code, is
12 amended to read as follows:

13 (a) Subject to Section 601.153, the department shall
14 suspend the driver's license and vehicle registrations of the owner
15 and operator of a motor vehicle if:

16 (1) the vehicle is involved in any manner in a crash
17 [~~an accident~~]; and

18 (2) the department finds that there is a reasonable
19 probability that a judgment will be rendered against the person as a
20 result of the crash [~~accident~~].

21 SECTION 79. Sections 601.154(a), (c), and (d),
22 Transportation Code, are amended to read as follows:

23 (a) Subject to Subsection (d), if the department finds that
24 there is a reasonable probability that a judgment will be rendered
25 against an owner or operator as a result of a crash [~~an accident~~],
26 the department shall determine the amount of security sufficient to
27 satisfy any judgment for damages resulting from the crash

1 ~~[accident]~~ that may be recovered from the owner or operator.

2 (c) In determining whether there is a reasonable
3 probability that a judgment will be rendered against the person as a
4 result of a crash ~~[an accident]~~ and the amount of security that is
5 sufficient under Subsection (a), the department may consider:

- 6 (1) a report of an investigating officer; and
7 (2) an affidavit of a person who has knowledge of the
8 facts.

9 (d) The department shall make the determination required by
10 Subsection (a) only if the department has not received, before the
11 21st day after the date the department receives a report of a motor
12 vehicle crash ~~[accident]~~, satisfactory evidence that the owner or
13 operator has:

- 14 (1) been released from liability;
15 (2) been finally adjudicated not to be liable; or
16 (3) executed an acknowledged written agreement
17 providing for the payment of an agreed amount in installments for
18 all claims for injuries or damages resulting from the crash
19 ~~[accident]~~.

20 SECTION 80. Section 601.155(b), Transportation Code, is
21 amended to read as follows:

22 (b) The notice must state that:

- 23 (1) the person's driver's license and vehicle
24 registration or the person's nonresident's operating privilege will
25 be suspended unless the person, not later than the 20th day after
26 the date the notice was personally served or sent, establishes
27 that:

1 (A) this subchapter does not apply to the person,
2 and the person has previously provided this information to the
3 department; or

4 (B) there is no reasonable probability that a
5 judgment will be rendered against the person as a result of the
6 crash [~~accident~~]; and

7 (2) the person is entitled to a hearing under this
8 subchapter if a written request for a hearing is delivered or mailed
9 to the department not later than the 20th day after the date the
10 notice was personally served or sent.

11 SECTION 81. Section 601.157(b), Transportation Code, is
12 amended to read as follows:

13 (b) The judge at the hearing shall determine:

14 (1) whether there is a reasonable probability that a
15 judgment will be rendered against the person requesting the hearing
16 as a result of the crash [~~accident~~]; and

17 (2) if there is a reasonable probability that a
18 judgment will be rendered, the amount of security sufficient to
19 satisfy any judgment for damages resulting from the crash
20 [~~accident~~].

21 SECTION 82. Section 601.158(a), Transportation Code, is
22 amended to read as follows:

23 (a) If, after a hearing under this subchapter, the judge
24 determines that there is a reasonable probability that a judgment
25 will be rendered against the person requesting the hearing as a
26 result of the crash [~~accident~~], the person may appeal the
27 determination.

1 SECTION 83. Section 601.162(a), Transportation Code, is
2 amended to read as follows:

3 (a) The suspension of a driver's license, vehicle
4 registration, or nonresident's operating privilege under this
5 subchapter remains in effect, the license, registration, or
6 privilege may not be renewed, and a license or vehicle registration
7 may not be issued to the holder of the suspended license,
8 registration, or privilege, until:

9 (1) the date the person, or a person acting on the
10 person's behalf, deposits security and files evidence of financial
11 responsibility under Section 601.153;

12 (2) the second anniversary of the date of the crash
13 [~~accident~~], if evidence satisfactory to the department is filed
14 with the department that, during the two-year period, an action for
15 damages arising out of the crash [~~accident~~] has not been
16 instituted; or

17 (3) the date evidence satisfactory to the department
18 is filed with the department of:

19 (A) a release from liability for claims arising
20 out of the crash [~~accident~~];

21 (B) a final adjudication that the person is not
22 liable for claims arising out of the crash [~~accident~~]; or

23 (C) an installment agreement described by
24 Section 601.154(d)(3).

25 SECTION 84. Section 601.163(b), Transportation Code, is
26 amended to read as follows:

27 (b) A person depositing security shall specify in writing

1 the person on whose behalf the deposit is made. A single deposit of
2 security is applicable only on behalf of persons required to
3 provide security because of the same crash [~~accident~~] and the same
4 motor vehicle.

5 SECTION 85. Section 601.164(a), Transportation Code, is
6 amended to read as follows:

7 (a) The department may reduce the amount of security ordered
8 in a case within six months after the date of the crash [~~accident~~]
9 if, in the department's judgment, the amount is excessive.

10 SECTION 86. Section 601.166, Transportation Code, is
11 amended to read as follows:

12 Sec. 601.166. PAYMENT OF CASH SECURITY. (a) Cash security
13 may be applied only to the payment of:

14 (1) a judgment rendered against the person on whose
15 behalf the deposit is made for damages arising out of the crash
16 [~~accident~~]; or

17 (2) a settlement, agreed to by the depositor, of a
18 claim arising out of the crash [~~accident~~].

19 (b) For payment under Subsection (a), the action under which
20 the judgment was rendered must have been instituted before the
21 second anniversary of the later of:

22 (1) the date of the crash [~~accident~~]; or

23 (2) the date of the deposit, in the case of a deposit
24 of security under Section 601.162(b).

25 SECTION 87. Section 601.167, Transportation Code, is
26 amended to read as follows:

27 Sec. 601.167. RETURN OF CASH SECURITY. Cash security or any

1 balance of the security shall be returned to the depositor or the
2 depositor's personal representative when:

3 (1) evidence satisfactory to the department is filed
4 with the department that there has been:

5 (A) a release of liability;

6 (B) a final adjudication that the person on whose
7 behalf the deposit is made is not liable; or

8 (C) an agreement as described by Section
9 [601.154\(d\)\(3\)](#);

10 (2) reasonable evidence is provided to the department
11 after the second anniversary of the date of the crash [~~accident~~]
12 that no action arising out of the crash [~~accident~~] is pending and no
13 judgment rendered in such an action is unpaid; or

14 (3) in the case of a deposit of security under Section
15 [601.162\(b\)](#), reasonable evidence is provided to the department after
16 the second anniversary of the date of the deposit that no action
17 arising out of the crash [~~accident~~] is pending and no unpaid
18 judgment rendered in such an action is unpaid.

19 SECTION 88. Section [601.168\(b\)](#), Transportation Code, is
20 amended to read as follows:

21 (b) A bond or motor vehicle liability insurance policy
22 issued by a surety company or insurance company that is not
23 authorized to do business in this state is effective under this
24 subchapter only if:

25 (1) the bond or policy is issued for a motor vehicle
26 that:

27 (A) is not registered in this state; or

1 (B) was not registered in this state on the
2 effective date of the most recent renewal of the policy; and

3 (2) the surety company or insurance company executes a
4 power of attorney authorizing the department to accept on the
5 company's behalf service of notice or process in an action arising
6 out of the crash [~~accident~~] on the bond or policy.

7 SECTION 89. Section 601.169, Transportation Code, is
8 amended to read as follows:

9 Sec. 601.169. REASONABLE PROBABILITY NOT ADMISSIBLE IN
10 CIVIL SUIT. A determination under Section 601.154 or 601.157 that
11 there is a reasonable probability that a judgment will be rendered
12 against a person as a result of a crash [~~an accident~~] may not be
13 introduced in evidence in a suit for damages arising from that crash
14 [~~accident~~].

15 SECTION 90. Section 601.291, Transportation Code, is
16 amended to read as follows:

17 Sec. 601.291. APPLICABILITY OF SUBCHAPTER. This subchapter
18 applies only to the owner or operator of a motor vehicle that:

- 19 (1) is not registered in this state; and
20 (2) is involved in a motor vehicle crash [~~accident~~] in
21 this state that results in bodily injury, death, or damage to the
22 property of one person to an apparent extent of at least \$500.

23 SECTION 91. Section 601.292, Transportation Code, is
24 amended to read as follows:

25 Sec. 601.292. DUTY TO PROVIDE EVIDENCE OF FINANCIAL
26 RESPONSIBILITY TO INVESTIGATING OFFICER. A person to whom this
27 subchapter applies shall provide evidence of financial

1 responsibility to a law enforcement officer of this state or a
2 political subdivision of this state who is conducting an
3 investigation of the crash [~~accident~~].

4 SECTION 92. Sections 601.293(b), (c), and (d),
5 Transportation Code, are amended to read as follows:

6 (b) The magistrate shall conduct an inquiry on the issues of
7 negligence and liability for bodily injury, death, or property
8 damage sustained in the crash [~~accident~~].

9 (c) If the magistrate determines that there is a reasonable
10 possibility that a judgment will be rendered against the person for
11 bodily injury, death, or property damage sustained in the crash
12 [~~accident~~], the magistrate shall order the person to provide:

13 (1) evidence of financial responsibility for the
14 bodily injury, death, or property damage; or

15 (2) evidence that the person is exempt from the
16 requirement of Section 601.051.

17 (d) A determination of negligence or liability under
18 Subsection (c) does not act as collateral estoppel on an issue in a
19 criminal or civil adjudication arising from the crash [~~accident~~].

20 SECTION 93. Section 601.294, Transportation Code, is
21 amended to read as follows:

22 Sec. 601.294. IMPOUNDMENT OF MOTOR VEHICLE. If a person to
23 whom this subchapter applies does not provide evidence required
24 under Section 601.293(c), the magistrate shall enter an order
25 directing the sheriff of the county or the chief of police of the
26 municipality to impound the motor vehicle owned or operated by the
27 person that was involved in the crash [~~accident~~].

1 SECTION 94. Section 601.296(a), Transportation Code, is
2 amended to read as follows:

3 (a) The department shall issue a certificate of release of
4 an impounded motor vehicle to the owner, operator, or person
5 authorized by the owner on submission to the department of:

6 (1) evidence of financial responsibility under
7 Section 601.053 that shows that at the time of the crash [~~accident~~]
8 the vehicle was in compliance with Section 601.051 or was exempt
9 from the requirement of Section 601.051;

10 (2) a release executed by each person damaged in the
11 crash [~~accident~~] other than the operator of the vehicle for which
12 the certificate of release is requested; or

13 (3) security in a form and amount determined by the
14 department to secure the payment of damages for which the operator
15 may be liable.

16 SECTION 95. Section 601.333, Transportation Code, is
17 amended to read as follows:

18 Sec. 601.333. RELIEF FROM SUSPENSION: MOTOR VEHICLE
19 LIABILITY INSURANCE. (a) A person whose driver's license, vehicle
20 registrations, or nonresident's operating privilege has been
21 suspended or is subject to suspension under Section 601.332 may
22 file with the department:

23 (1) evidence that there was a motor vehicle liability
24 insurance policy covering the motor vehicle involved in the crash
25 [~~accident~~] out of which the judgment arose in effect at the time of
26 the crash [~~accident~~];

27 (2) an affidavit stating that the person was insured

1 at the time of the crash [~~accident~~], that the insurance company is
2 liable to pay the judgment, and the reason, if known, that the
3 insurance company has not paid the judgment;

4 (3) the original policy of insurance or a certified
5 copy of the policy, if available; and

6 (4) any other documents required by the department to
7 show that the loss, injury, or damage for which the judgment was
8 rendered was covered by the insurance.

9 (b) The department may not suspend the driver's license,
10 vehicle registrations, or nonresident's operating privilege, and
11 shall reinstate a license, registration, or privilege that has been
12 suspended, if it is satisfied from the documents filed under
13 Subsection (a) that:

14 (1) there was a motor vehicle liability insurance
15 policy in effect for the vehicle at the time of the crash
16 [~~accident~~];

17 (2) the insurance company that issued the policy was
18 authorized to issue the policy in this state at the time the policy
19 was issued; and

20 (3) the insurance company is liable to pay the
21 judgment to the extent and for the amounts required by this chapter.

22 SECTION 96. Section 622.954(a), Transportation Code, is
23 amended to read as follows:

24 (a) A permit is not required to exceed the weight
25 limitations of Section 621.101 by a combination of a tow truck and
26 another vehicle or vehicle combination if:

27 (1) the nature of the service provided by the tow truck

1 is needed to remove disabled, abandoned, or crash-damaged
2 [~~accident-damaged~~] vehicles; and

3 (2) the tow truck is towing the other vehicle or
4 vehicle combination directly to the nearest authorized place of
5 repair, terminal, or vehicle storage facility.

6 SECTION 97. Section 623.0172(1), Transportation Code, is
7 amended to read as follows:

8 (1) Beginning in 2022, not later than September 1 of each
9 even-numbered year, the Texas Department of Transportation shall
10 conduct a study concerning vehicles operating under a permit issued
11 under this section and publish the results of the study. In
12 conducting the study, the Texas Department of Transportation shall
13 collect and examine the following information:

14 (1) the weight and configuration of vehicles operating
15 under a permit under this section that are involved in a motor
16 vehicle crash [~~accident~~];

17 (2) the types of vehicles operating under a permit
18 issued under this section;

19 (3) traffic volumes and variations of vehicles
20 operating under a permit issued under this section;

21 (4) weigh-in-motion data for highways located in and
22 around the area described by Subsection (c);

23 (5) impacts to state and local bridges, including
24 long-term bridge performance, for bridges located in and around the
25 area described by Subsection (c); and

26 (6) impacts to state and local roads, including
27 changes in pavement design standards, construction specification

1 details, maintenance frequency and types, and properties of
2 pavement and underlying soils resulting from or necessitated by
3 vehicles operating under a permit issued under this section.

4 SECTION 98. Section 623.410, Transportation Code, is
5 amended to read as follows:

6 Sec. 623.410. STUDY. Beginning in 2022, not later than
7 September 1 of each even-numbered year, the Texas Department of
8 Transportation shall conduct a study concerning vehicles operating
9 under a permit issued under this subchapter and publish the results
10 of the study. In conducting the study, the Texas Department of
11 Transportation shall collect and examine the following
12 information:

13 (1) the weight and configuration of vehicles operating
14 under a permit issued under this subchapter that are involved in a
15 motor vehicle crash [~~accident~~];

16 (2) the types of vehicles operating under a permit
17 issued under this subchapter;

18 (3) traffic volumes and variations of vehicles
19 operating under a permit issued under this subchapter;

20 (4) weigh-in-motion data for highways and roads
21 located in and around the area described by Section 623.405(b);

22 (5) impacts to state and local bridges, including
23 long-term bridge performance, for bridges located in and around the
24 area described by Section 623.405(b); and

25 (6) impacts to state and local roads, including
26 changes in pavement design standards, construction specification
27 details, maintenance frequency and types, and properties of

1 pavement and underlying soils resulting from or necessitated by
2 vehicles operating under a permit issued under this subchapter.

3 SECTION 99. Section 643.105, Transportation Code, is
4 amended to read as follows:

5 Sec. 643.105. INSOLVENCY OF INSURER. If an insurer for a
6 motor carrier becomes insolvent, is placed in receivership, or has
7 its certificate of authority suspended or revoked and if the
8 carrier no longer has insurance coverage as required by this
9 subchapter, the carrier shall file with the department, not later
10 than the 10th day after the date the coverage lapses:

11 (1) evidence of insurance as required by Section
12 643.103; and

13 (2) an affidavit that:

14 (A) indicates that a crash [~~an accident~~] from
15 which the carrier may incur liability did not occur while the
16 coverage was not in effect; or

17 (B) contains a plan acceptable to the department
18 indicating how the carrier will satisfy claims of liability against
19 the carrier for a crash [~~an accident~~] that occurred while the
20 coverage was not in effect.

21 SECTION 100. Section 644.151(b-1), Transportation Code, is
22 amended to read as follows:

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

25 (1) a state jail felony if it is shown on the trial of
26 the offense that at the time of the offense the commercial motor
27 vehicle was involved in a motor vehicle crash [~~accident~~] that

1 resulted in bodily injury; or

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

6 SECTION 101. Sections 661.003(c) and (i), Transportation
7 Code, are amended to read as follows:

8 (c) It is an exception to the application of Subsection (a)
9 or (b) that at the time the offense was committed, the person
10 required to wear protective headgear was at least 21 years old and
11 had successfully completed a motorcycle operator training and
12 safety course under Chapter 662 or was covered by a health insurance
13 plan providing the person with medical benefits for injuries
14 incurred as a result of a crash [~~an accident~~] while operating or
15 riding on a motorcycle. A peace officer may not arrest a person or
16 issue a citation to a person for a violation of Subsection (a) or
17 (b) if the person required to wear protective headgear is at least
18 21 years of age and presents evidence sufficient to show that the
19 person required to wear protective headgear has successfully
20 completed a motorcycle operator training and safety course or is
21 covered by a health insurance plan as described by this subsection.

22 (i) In this section, "health insurance plan" means an
23 individual, group, blanket, or franchise insurance policy,
24 insurance agreement, evidence of coverage, group hospital services
25 contract, health maintenance organization membership, or employee
26 benefit plan that provides benefits for health care services or for
27 medical or surgical expenses incurred as a result of a crash [~~an~~

1 ~~accident~~].

2 SECTION 102. Section 686.001(1), Transportation Code, is
3 amended to read as follows:

4 (1) "Financial responsibility" means the ability to
5 respond in damages for liability for a crash [~~an accident~~] that:

6 (A) occurs after the effective date of the
7 document evidencing the establishment of the financial
8 responsibility; and

9 (B) arises out of the operation of a motor
10 vehicle by an employee of a valet parking service.

11 SECTION 103. Section 686.004(a), Transportation Code, is
12 amended to read as follows:

13 (a) The minimum amounts of motor vehicle liability
14 insurance coverage required to establish financial responsibility
15 under this chapter are:

16 (1) \$100,000 for bodily injury to or death of one
17 person in one crash [~~accident~~];

18 (2) \$300,000 for bodily injury to or death of two or
19 more persons in one crash [~~accident~~], subject to the amount
20 provided by Subdivision (1) for bodily injury to or death of one of
21 the persons; and

22 (3) \$50,000 for damage to or destruction of property
23 of others in one crash [~~accident~~].

24 SECTION 104. Section 686.005, Transportation Code, is
25 amended to read as follows:

26 Sec. 686.005. COMMON LAW DEFENSES. In an action against an
27 owner or operator of a valet parking service that has not

1 established financial responsibility as required by this chapter to
2 recover damages for personal injuries, death, or property damage
3 sustained in a motor vehicle crash [~~accident~~] arising out of the
4 operation of a valet parking service, it is not a defense that the
5 party who brings the action:

- 6 (1) was guilty of contributory negligence; or
7 (2) assumed the risk of injury, death, or property
8 damage.

9 SECTION 105. Section 709.002(e), Transportation Code, is
10 amended to read as follows:

11 (e) Of the money received by the comptroller under this
12 section, the comptroller shall deposit:

13 (1) 80 percent to the credit of the undedicated
14 portion of the general revenue fund, to be used only for criminal
15 justice purposes; and

16 (2) 20 percent to the credit of the designated trauma
17 facility and emergency medical services account under Section
18 780.003, Health and Safety Code, to be used only for the criminal
19 justice purpose of funding designated trauma facilities, county and
20 regional emergency medical services, and trauma care systems that
21 provide trauma care and emergency medical services to victims of
22 crashes [~~accidents~~] resulting from traffic offenses.

23 SECTION 106. Section 723.011(a), Transportation Code, is
24 amended to read as follows:

25 (a) The governor shall:

26 (1) prepare and administer a statewide traffic safety
27 program designed to reduce traffic crashes [~~accidents~~] and the

1 death, injury, and property damage that result from traffic crashes
2 [~~accidents~~];

3 (2) adopt rules for the administration of this
4 chapter, including rules, procedures, and policy statements
5 governing grants-in-aid and contractual relations;

6 (3) receive on the state's behalf for the
7 implementation of this chapter money made available by the United
8 States under federal law; and

9 (4) allocate money appropriated by the legislature in
10 the General Appropriations Act to implement this chapter.

11 SECTION 107. Section 723.012, Transportation Code, is
12 amended to read as follows:

13 Sec. 723.012. TRAFFIC SAFETY PROGRAM. The statewide
14 traffic safety program must include:

15 (1) a driver education and training program
16 administered by the governor through appropriate agencies that
17 complies with Section 723.013;

18 (2) plans for improving:

19 (A) driver licensing;

20 (B) crash [~~accident~~] records;

21 (C) vehicle inspection, registration, and
22 titling;

23 (D) traffic engineering;

24 (E) personnel;

25 (F) police traffic supervision;

26 (G) traffic courts;

27 (H) highway design; and

- 1 (I) uniform traffic laws; and
2 (3) plans for local traffic safety programs by legal
3 and political subdivisions of this state that may be implemented if
4 the programs:
5 (A) are approved by the governor; and
6 (B) conform with uniform standards adopted under
7 the Highway Safety Act of 1966 (23 U.S.C. Sec. 401 et seq.).

8 SECTION 108. Section 723.013(a), Transportation Code, is
9 amended to read as follows:

10 (a) The statewide driver education and training program
11 required by Section 723.012 shall provide for:

12 (1) rules that permit controlled innovation and
13 experimentation and that set minimum standards for:

- 14 (A) classroom instruction;
15 (B) driving skills training;
16 (C) instructor qualifications;
17 (D) program content; and
18 (E) supplementary materials and equipment;

19 (2) a method for continuing evaluation of approved
20 driver education and training programs to identify the practices
21 most effective in preventing traffic crashes [~~accidents~~]; and

22 (3) contracts between the governing bodies of
23 centrally located independent school districts or other
24 appropriate public or private agencies and the state to provide
25 approved driver education and training programs.

26 SECTION 109. Section 724.012(b), Transportation Code, is
27 amended to read as follows:

1 (b) A peace officer shall require the taking of a specimen
2 of the person's breath or blood under any of the following
3 circumstances if the officer arrests the person for an offense
4 under Chapter 49, Penal Code, involving the operation of a motor
5 vehicle or a watercraft and the person refuses the officer's
6 request to submit to the taking of a specimen voluntarily:

7 (1) the person was the operator of a motor vehicle or a
8 watercraft involved in a crash [~~an accident~~] that the officer
9 reasonably believes occurred as a result of the offense and, at the
10 time of the arrest, the officer reasonably believes that as a direct
11 result of the crash [~~accident~~]:

12 (A) any individual has died or will die;

13 (B) an individual other than the person has
14 suffered serious bodily injury; or

15 (C) an individual other than the person has
16 suffered bodily injury and been transported to a hospital or other
17 medical facility for medical treatment;

18 (2) the offense for which the officer arrests the
19 person is an offense under Section 49.045, Penal Code; or

20 (3) at the time of the arrest, the officer possesses or
21 receives reliable information from a credible source that the
22 person:

23 (A) has been previously convicted of or placed on
24 community supervision for an offense under Section 49.045, 49.07,
25 or 49.08, Penal Code, or an offense under the laws of another state
26 containing elements substantially similar to the elements of an
27 offense under those sections; or

1 (B) on two or more occasions, has been previously
2 convicted of or placed on community supervision for an offense
3 under Section 49.04, 49.05, 49.06, or 49.065, Penal Code, or an
4 offense under the laws of another state containing elements
5 substantially similar to the elements of an offense under those
6 sections.

7 SECTION 110. Section 726.002, Transportation Code, is
8 amended to read as follows:

9 Sec. 726.002. TESTING AND INSPECTION OF MOTOR VEHICLES. A
10 municipality may adopt an ordinance:

11 (1) requiring each resident of the municipality,
12 including a corporation having its principal office or place of
13 business in the municipality, who owns a motor vehicle used for the
14 transportation of persons or property and each person operating a
15 motor vehicle on the public thoroughfares of the municipality to
16 have each motor vehicle owned or operated, as appropriate, tested
17 and inspected not more than four times in each calendar year;

18 (2) requiring each motor vehicle involved in a crash
19 [~~an accident~~] to be tested and inspected before it may be operated
20 on the public thoroughfares of the municipality; or

21 (3) requiring that a motor vehicle operated on the
22 public thoroughfares of the municipality be tested, inspected, and
23 approved by the testing and inspecting authority.

24 SECTION 111. Sections 730.003(4) and (6), Transportation
25 Code, are amended to read as follows:

26 (4) "Motor vehicle record" means a record that
27 pertains to a motor vehicle operator's or driver's license or

1 permit, motor vehicle registration, motor vehicle title, or
2 identification document issued by an agency of this state or a local
3 agency authorized to issue an identification document. The term
4 does not include:

- 5 (A) a record that pertains to a motor carrier; or
- 6 (B) a crash [~~an accident~~] report prepared under:
 - 7 (i) Chapter 550; or
 - 8 (ii) former Section 601.004 before
9 September 1, 2017.

10 (6) "Personal information" means information that
11 identifies a person, including an individual's photograph or
12 computerized image, social security number, driver identification
13 number, name, address, but not the zip code, telephone number, and
14 medical or disability information. The term does not include:

- 15 (A) information on vehicle crashes [~~accidents~~],
16 driving or equipment-related violations, or driver's license or
17 registration status; or
- 18 (B) information contained in a crash [~~an
19 accident~~] report prepared under:
 - 20 (i) Chapter 550; or
 - 21 (ii) former Section 601.004 before
22 September 1, 2017.

23 SECTION 112. Section 1006.153(e), Transportation Code, is
24 amended to read as follows:

- 25 (e) Out of each fee collected under Subsection (b):
 - 26 (1) 20 percent shall be appropriated to the authority
27 for the purposes of this chapter;

1 crash [~~accident~~] information that the person obtained or knows was
2 obtained from a law enforcement agency may not:

3 (1) use the information to contact directly any of the
4 following persons for the purpose of soliciting business from the
5 person:

6 (A) a crime victim;

7 (B) a person who was involved in a motor vehicle
8 crash [~~accident~~]; or

9 (C) a member of the family of a person described
10 by Paragraph (A) or (B); or

11 (2) sell the information to another person for
12 financial gain.

13 SECTION 116. Section 30.006(e), Civil Practice and Remedies
14 Code, is amended to read as follows:

15 (e) This section does not apply to:

16 (1) a report of a crash [~~an accident~~] under Chapter
17 550, Transportation Code; and

18 (2) photographs, field measurements, scene drawings,
19 and crash [~~accident~~] reconstruction done in conjunction with the
20 investigation of the underlying crash [~~accident~~].

21 SECTION 117. Article 12.01, Code of Criminal Procedure, is
22 amended to read as follows:

23 Art. 12.01. FELONIES. Except as provided in Article 12.03,
24 felony indictments may be presented within these limits, and not
25 afterward:

26 (1) no limitation:

27 (A) murder and manslaughter;

1 (B) sexual assault under Section 22.011(a)(2),
2 Penal Code, or aggravated sexual assault under Section
3 22.021(a)(1)(B), Penal Code;

4 (C) sexual assault, if:

5 (i) during the investigation of the offense
6 biological matter is collected and the matter:

7 (a) has not yet been subjected to
8 forensic DNA testing; or

9 (b) has been subjected to forensic DNA
10 testing and the testing results show that the matter does not match
11 the victim or any other person whose identity is readily
12 ascertained; or

13 (ii) probable cause exists to believe that
14 the defendant has committed the same or a similar sex offense
15 against five or more victims;

16 (D) continuous sexual abuse of young child or
17 children under Section 21.02, Penal Code;

18 (E) indecency with a child under Section 21.11,
19 Penal Code;

20 (F) an offense involving leaving the scene of a
21 crash [~~an accident~~] under Section 550.021, Transportation Code, if
22 the crash [~~accident~~] resulted in the death of a person;

23 (G) trafficking of persons under Section
24 20A.02(a)(7) or (8), Penal Code;

25 (H) continuous trafficking of persons under
26 Section 20A.03, Penal Code; or

27 (I) compelling prostitution under Section

1 43.05(a)(2), Penal Code;

2 (2) ten years from the date of the commission of the
3 offense:

4 (A) theft of any estate, real, personal or mixed,
5 by an executor, administrator, guardian or trustee, with intent to
6 defraud any creditor, heir, legatee, ward, distributee,
7 beneficiary or settlor of a trust interested in such estate;

8 (B) theft by a public servant of government
9 property over which the public servant exercises control in the
10 public servant's official capacity;

11 (C) forgery or the uttering, using or passing of
12 forged instruments;

13 (D) injury to an elderly or disabled individual
14 punishable as a felony of the first degree under Section 22.04,
15 Penal Code;

16 (E) sexual assault, except as provided by
17 Subdivision (1) or (7);

18 (F) arson;

19 (G) trafficking of persons under Section
20 20A.02(a)(1), (2), (3), or (4), Penal Code; or

21 (H) compelling prostitution under Section
22 43.05(a)(1), Penal Code;

23 (3) seven years from the date of the commission of the
24 offense:

25 (A) misapplication of fiduciary property or
26 property of a financial institution;

27 (B) securing execution of document by deception;

1 (C) a felony violation under Chapter 162, Tax
2 Code;

3 (D) false statement to obtain property or credit
4 under Section 32.32, Penal Code;

5 (E) money laundering;

6 (F) credit card or debit card abuse under Section
7 32.31, Penal Code;

8 (G) fraudulent use or possession of identifying
9 information under Section 32.51, Penal Code;

10 (H) exploitation of a child, elderly individual,
11 or disabled individual under Section 32.53, Penal Code;

12 (I) health care fraud under Section 35A.02, Penal
13 Code; or

14 (J) bigamy under Section 25.01, Penal Code,
15 except as provided by Subdivision (6);

16 (4) five years from the date of the commission of the
17 offense:

18 (A) theft or robbery;

19 (B) except as provided by Subdivision (5),
20 kidnapping or burglary;

21 (C) injury to an elderly or disabled individual
22 that is not punishable as a felony of the first degree under Section
23 22.04, Penal Code;

24 (D) abandoning or endangering a child; or

25 (E) insurance fraud;

26 (5) if the investigation of the offense shows that the
27 victim is younger than 17 years of age at the time the offense is

1 committed, 20 years from the 18th birthday of the victim of one of
2 the following offenses:

3 (A) sexual performance by a child under Section
4 43.25, Penal Code;

5 (B) aggravated kidnapping under Section
6 20.04(a)(4), Penal Code, if the defendant committed the offense
7 with the intent to violate or abuse the victim sexually; or

8 (C) burglary under Section 30.02, Penal Code, if
9 the offense is punishable under Subsection (d) of that section and
10 the defendant committed the offense with the intent to commit an
11 offense described by Subdivision (1)(B) or (D) of this article or
12 Paragraph (B) of this subdivision;

13 (6) ten years from the 18th birthday of the victim of
14 the offense:

15 (A) trafficking of persons under Section
16 20A.02(a)(5) or (6), Penal Code;

17 (B) injury to a child under Section 22.04, Penal
18 Code; or

19 (C) bigamy under Section 25.01, Penal Code, if
20 the investigation of the offense shows that the person, other than
21 the legal spouse of the defendant, whom the defendant marries or
22 purports to marry or with whom the defendant lives under the
23 appearance of being married is younger than 18 years of age at the
24 time the offense is committed;

25 (7) two years from the date the offense was
26 discovered: sexual assault punishable as a state jail felony under
27 Section 22.011(f)(2), Penal Code, as amended by Chapter 436 (S.B.

1 1259), Acts of the 86th Legislature, Regular Session, 2019; or

2 (8) three years from the date of the commission of the
3 offense: all other felonies.

4 SECTION 118. Article [42A.515](#), Code of Criminal Procedure,
5 as added by Chapter 290 (H.B. 2502), Acts of the 86th Legislature,
6 Regular Session, 2019, is redesignated as Section 42A.516, Code of
7 Criminal Procedure, and amended to read as follows:

8 Art. [42A.516](#) [~~42A.515~~]. COMMUNITY SUPERVISION FOR LEAVING
9 SCENE OF MOTOR VEHICLE CRASH [~~ACCIDENT~~] RESULTING IN DEATH OF
10 PERSON. (a) A judge granting community supervision to a defendant
11 convicted of an offense punishable under Section [550.021\(c\)\(1\)\(A\)](#),
12 Transportation Code, shall require as a condition of community
13 supervision that the defendant submit to a term of confinement of
14 not less than 120 days.

15 (b) If a sentence of confinement is imposed on the
16 revocation of community supervision, the term of confinement served
17 under Subsection (a) may not be credited toward completion of the
18 sentence imposed.

19 SECTION 119. Article [49.10\(j\)](#), Code of Criminal Procedure,
20 is amended to read as follows:

21 (j) A justice of the peace may order a physician, qualified
22 technician, paramedic, chemist, registered professional nurse, or
23 licensed vocational nurse to take a specimen of blood from the body
24 of a person who died as the result of a motor vehicle crash
25 [~~accident~~] if the justice determines that circumstances indicate
26 that the person may have been driving while intoxicated.

27 SECTION 120. Article [59.01\(3\)](#), Code of Criminal Procedure,

1 is amended to read as follows:

2 (3) "Crime of violence" means:

3 (A) any criminal offense defined in the Penal
4 Code or in a federal criminal law that results in a personal injury
5 to a victim; or

6 (B) an act that is not an offense under the Penal
7 Code involving the operation of a motor vehicle, aircraft, or water
8 vehicle that results in injury or death sustained in a crash [~~an~~
9 ~~accident~~] caused by a driver in violation of Section 550.021,
10 Transportation Code.

11 SECTION 121. Section 1001.112(a-2), Education Code, is
12 amended to read as follows:

13 (a-2) The rules must provide that the person conducting the
14 course:

15 (1) possess a valid license for the preceding three
16 years that has not been suspended, revoked, or forfeited in the past
17 three years for an offense that involves the operation of a motor
18 vehicle;

19 (2) has not been convicted of:

20 (A) criminally negligent homicide; or

21 (B) driving while intoxicated in the past seven
22 years; and

23 (3) has not been convicted during the preceding three
24 years of:

25 (A) three or more moving violations described by
26 Section 542.304, Transportation Code, including violations that
27 resulted in a crash [~~an accident~~]; or

1 (B) two or more moving violations described by
2 Section 542.304, Transportation Code, that resulted in a crash [~~an~~
3 ~~accident~~].

4 SECTION 122. Section 264.513(c), Family Code, is amended to
5 read as follows:

6 (c) A person is not required to report a death under this
7 section that is the result of a motor vehicle crash [~~accident~~].
8 This subsection does not affect a duty imposed by another law to
9 report a death that is the result of a motor vehicle crash
10 [~~accident~~].

11 SECTION 123. Section 411.0726(e), Government Code, is
12 amended to read as follows:

13 (e) A court may not issue an order of nondisclosure of
14 criminal history record information under this section if the
15 attorney representing the state presents evidence sufficient to the
16 court demonstrating that the commission of the offense for which
17 the order is sought resulted in a motor vehicle crash [~~accident~~]
18 involving another person, including a passenger in a motor vehicle
19 operated by the person seeking the order of nondisclosure.

20 SECTION 124. Section 411.0731(e), Government Code, is
21 amended to read as follows:

22 (e) A court may not issue an order of nondisclosure of
23 criminal history record information under this section if the
24 attorney representing the state presents evidence sufficient to the
25 court demonstrating that the commission of the offense for which
26 the order is sought resulted in a motor vehicle crash [~~accident~~]
27 involving another person, including a passenger in a motor vehicle

1 operated by the person seeking the order of nondisclosure.

2 SECTION 125. Section 411.0736(e), Government Code, is
3 amended to read as follows:

4 (e) A court may not issue an order of nondisclosure of
5 criminal history record information under this section if the
6 attorney representing the state presents evidence sufficient to the
7 court demonstrating that the commission of the offense for which
8 the order is sought resulted in a motor vehicle crash [~~accident~~]
9 involving another person, including a passenger in a motor vehicle
10 operated by the person seeking the order of nondisclosure.

11 SECTION 126. Section 423.002(a), Government Code, is
12 amended to read as follows:

13 (a) It is lawful to capture an image using an unmanned
14 aircraft in this state:

15 (1) for the purpose of professional or scholarly
16 research and development or for another academic purpose by a
17 person acting on behalf of an institution of higher education or a
18 private or independent institution of higher education, as those
19 terms are defined by Section 61.003, Education Code, including a
20 person who:

21 (A) is a professor, employee, or student of the
22 institution; or

23 (B) is under contract with or otherwise acting
24 under the direction or on behalf of the institution;

25 (2) in airspace designated as a test site or range
26 authorized by the Federal Aviation Administration for the purpose
27 of integrating unmanned aircraft systems into the national

1 airspace;

2 (3) as part of an operation, exercise, or mission of
3 any branch of the United States military;

4 (4) if the image is captured by a satellite for the
5 purposes of mapping;

6 (5) if the image is captured by or for an electric or
7 natural gas utility or a telecommunications provider:

8 (A) for operations and maintenance of utility or
9 telecommunications facilities for the purpose of maintaining
10 utility or telecommunications system reliability and integrity;

11 (B) for inspecting utility or telecommunications
12 facilities to determine repair, maintenance, or replacement needs
13 during and after construction of such facilities;

14 (C) for assessing vegetation growth for the
15 purpose of maintaining clearances on utility or telecommunications
16 easements; and

17 (D) for utility or telecommunications facility
18 routing and siting for the purpose of providing utility or
19 telecommunications service;

20 (6) with the consent of the individual who owns or
21 lawfully occupies the real property captured in the image;

22 (7) pursuant to a valid search or arrest warrant;

23 (8) if the image is captured by a law enforcement
24 authority or a person who is under contract with or otherwise acting
25 under the direction or on behalf of a law enforcement authority:

26 (A) in immediate pursuit of a person law
27 enforcement officers have reasonable suspicion or probable cause to

1 suspect has committed an offense, not including misdemeanors or
2 offenses punishable by a fine only;

3 (B) for the purpose of documenting a crime scene
4 where an offense, not including misdemeanors or offenses punishable
5 by a fine only, has been committed;

6 (C) for the purpose of investigating the scene
7 of:

8 (i) a human fatality;

9 (ii) a motor vehicle crash [~~accident~~]
10 causing death or serious bodily injury to a person; or

11 (iii) any motor vehicle crash [~~accident~~] on
12 a state highway or federal interstate or highway;

13 (D) in connection with the search for a missing
14 person;

15 (E) for the purpose of conducting a high-risk
16 tactical operation that poses a threat to human life;

17 (F) of private property that is generally open to
18 the public where the property owner consents to law enforcement
19 public safety responsibilities; or

20 (G) of real property or a person on real property
21 that is within 25 miles of the United States border for the sole
22 purpose of ensuring border security;

23 (9) if the image is captured by state or local law
24 enforcement authorities, or a person who is under contract with or
25 otherwise acting under the direction or on behalf of state
26 authorities, for the purpose of:

27 (A) surveying the scene of a catastrophe or other

1 damage to determine whether a state of emergency should be
2 declared;

3 (B) preserving public safety, protecting
4 property, or surveying damage or contamination during a lawfully
5 declared state of emergency; or

6 (C) conducting routine air quality sampling and
7 monitoring, as provided by state or local law;

8 (10) at the scene of a spill, or a suspected spill, of
9 hazardous materials;

10 (11) for the purpose of fire suppression;

11 (12) for the purpose of rescuing a person whose life or
12 well-being is in imminent danger;

13 (13) if the image is captured by a Texas licensed real
14 estate broker in connection with the marketing, sale, or financing
15 of real property, provided that no individual is identifiable in
16 the image;

17 (14) from a height no more than eight feet above ground
18 level in a public place, if the image was captured without using any
19 electronic, mechanical, or other means to amplify the image beyond
20 normal human perception;

21 (15) of public real property or a person on that
22 property;

23 (16) if the image is captured by the owner or operator
24 of an oil, gas, water, or other pipeline for the purpose of
25 inspecting, maintaining, or repairing pipelines or other related
26 facilities, and is captured without the intent to conduct
27 surveillance on an individual or real property located in this

1 state;

2 (17) in connection with oil pipeline safety and rig
3 protection;

4 (18) in connection with port authority surveillance
5 and security;

6 (19) if the image is captured by a registered
7 professional land surveyor in connection with the practice of
8 professional surveying, as those terms are defined by Section
9 1071.002, Occupations Code, provided that no individual is
10 identifiable in the image;

11 (20) if the image is captured by a professional
12 engineer licensed under Subchapter G, Chapter 1001, Occupations
13 Code, in connection with the practice of engineering, as defined by
14 Section 1001.003, Occupations Code, provided that no individual is
15 identifiable in the image; or

16 (21) if:

17 (A) the image is captured by an employee of an
18 insurance company or of an affiliate of the company in connection
19 with the underwriting of an insurance policy, or the rating or
20 adjusting of an insurance claim, regarding real property or a
21 structure on real property; and

22 (B) the operator of the unmanned aircraft is
23 authorized by the Federal Aviation Administration to conduct
24 operations within the airspace from which the image is captured.

25 SECTION 127. Section 1952.155, Insurance Code, is amended
26 to read as follows:

27 Sec. 1952.155. BENEFITS PAYABLE WITHOUT REGARD TO FAULT OR

1 COLLATERAL SOURCE; EFFECT ON SUBROGATION. (a) The benefits under
2 coverage required by this subchapter are payable without regard to:

3 (1) the fault or nonfault of the named insured or
4 recipient in causing or contributing to the crash [~~accident~~]; and

5 (2) any collateral source of medical, hospital, or
6 wage continuation benefits.

7 (b) Except as provided by Subsection (c), an insurer paying
8 benefits under coverage required by this subchapter does not have a
9 right of subrogation or claim against any other person or insurer to
10 recover any benefits by reason of the alleged fault of the other
11 person in causing or contributing to the crash [~~accident~~].

12 (c) An insurer paying benefits pursuant to this subchapter,
13 including a county mutual insurance company, shall have a right of
14 subrogation and a claim against a person causing or contributing to
15 the crash [~~accident~~] if, on the date of loss, financial
16 responsibility as required by Chapter 601, Transportation Code, has
17 not been established for a motor vehicle involved in the crash
18 [~~accident~~] and operated by that person.

19 SECTION 128. Section 1954.056(b), Insurance Code, is
20 amended to read as follows:

21 (b) A transportation network company driver shall carry
22 proof of insurance that satisfies Sections 1954.052 and 1954.053
23 with the driver when the driver uses a vehicle in connection with a
24 transportation network company's digital network. In the event of
25 a crash [~~an accident~~], a driver shall provide the proof of insurance
26 to a directly interested person, automobile insurer, and
27 investigating peace officer on request under Section 601.053,

1 Transportation Code. On request, a driver shall also disclose to a
2 directly interested person, automobile insurer, and investigating
3 peace officer whether, at the time of the crash [~~accident~~], the
4 driver was:

- 5 (1) logged on to the company's digital network; or
- 6 (2) engaged in a prearranged ride.

7 SECTION 129. Section 2308.002(5-a), Occupations Code, is
8 amended to read as follows:

9 (5-a) "Incident management tow" means any tow of a
10 vehicle in which the tow truck is summoned to the scene of a traffic
11 crash [~~accident~~] or to an incident, including the removal of a
12 vehicle, commercial cargo, and commercial debris from a crash [~~an~~
13 ~~accident~~] or incident scene.

14 SECTION 130. Sections 2308.209(c), (d), and (h),
15 Occupations Code, are amended to read as follows:

16 (c) The sheriff's office may maintain a list of towing
17 companies to perform nonconsent tows of motor vehicles initiated by
18 a peace officer investigating a traffic crash [~~accident~~] or a
19 traffic incident. The towing companies must operate in a county to
20 which this section applies.

21 (d) A peace officer initiating a nonconsent tow of a motor
22 vehicle involved in a traffic crash [~~accident~~] or traffic incident
23 that the officer is investigating shall notify the sheriff's office
24 that the tow is being initiated. The sheriff's office shall
25 contact successive towing companies on the tow rotation list until
26 a company agrees to carry out the tow.

27 (h) In a county in which a list is maintained under

1 Subsection (c), a person commits an offense if:

2 (1) the person arrives at the scene of a traffic crash
3 [~~accident~~] or traffic incident to perform a nonconsent tow of a
4 motor vehicle without first being contacted by the sheriff's
5 office;

6 (2) the person directly or indirectly solicits, on
7 streets located in the county, towing services, including towing,
8 removing, repairing, wrecking, storing, trading, selling, or
9 purchasing related to a vehicle that has been damaged in a crash [~~an~~
10 ~~accident~~] to the extent that it cannot be normally and safely
11 driven; or

12 (3) the person enters the scene of a traffic crash
13 [~~accident~~], traffic incident, or other area under the control of a
14 peace officer without the permission of the peace officer.

15 SECTION 131. The heading to Section 38.18, Penal Code, is
16 amended to read as follows:

17 Sec. 38.18. USE OF CRASH [~~ACCIDENT~~] REPORT INFORMATION AND
18 OTHER INFORMATION FOR PECUNIARY GAIN.

19 SECTION 132. Section 2(4-a), Article 6243g-4, Vernon's
20 Texas Civil Statutes, is amended to read as follows:

21 (4-a) "Catastrophic injury" means a sudden, violent,
22 life-threatening, duty-related injury sustained by an active
23 member that is due to an externally caused motor vehicle crash
24 [~~accident~~], gunshot wound, aggravated assault, or other external
25 event or events and results, as supported by evidence, in one of the
26 following conditions:

27 (A) total, complete, and permanent loss of sight

1 in one or both eyes;

2 (B) total, complete, and permanent loss of the
3 use of one or both feet at or above the ankle;

4 (C) total, complete, and permanent loss of the
5 use of one or both hands at or above the wrist;

6 (D) injury to the spine that results in a total,
7 permanent, and complete paralysis of both arms, both legs, or one
8 arm and one leg; or

9 (E) an externally caused physical traumatic
10 injury to the brain rendering the member physically or mentally
11 unable to perform the member's duties as a police officer.

12 SECTION 133. To the extent of any conflict, this Act
13 prevails over another Act of the 87th Legislature, Regular Session,
14 2021, relating to nonsubstantive additions to and corrections in
15 enacted codes.

16 SECTION 134. This Act takes effect September 1, 2021.