

BILL ANALYSIS

H.B. 1855
By: Goodwin
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the high incidence of traffic fatalities across the state, including by local leaders in House District 47 and the family and friends of Dr. Babineaux, who was killed while driving to pick up his son from daycare after a vehicle veered into the lane of oncoming traffic and collided head-on with his vehicle. According to the Texas Department of Transportation (TxDOT), an average of 10 people die every day in road crashes across the state, and the fatality rate on Texas roadways for 2021 was 1.56 deaths per hundred million vehicle miles traveled, which was a 4.17 percent increase from 2020. There were no deathless days on Texas roadways in 2021. H.B. 1855, the Dr. Michael James Babineaux Act, seeks to improve safety on roads and reduce the number of traffic fatalities in Texas by providing for the designation of certain portions of roadway as highway safety corridors and requiring TxDOT to erect signs relating to doubled fines at specified points along the designated portion of a roadway.

CRIMINAL JUSTICE IMPACT

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

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Department of Transportation in SECTION 2 of this bill.

ANALYSIS

H.B. 1855 amends the Transportation Code to authorize the Texas Department of Transportation (TxDOT) to designate as a highway safety corridor a portion of a roadway containing a site with a high number of traffic accidents that lead to a serious injury or fatality as identified by TxDOT and to remove such a designation at its discretion. However, the bill requires TxDOT to make the designation if a governing body of a municipality or county identifies a portion of a roadway containing such a site and the site is located within the jurisdiction of the municipality or county. The bill requires TxDOT to remove the designation on the 10th anniversary of the designation unless the governing body that identified the site notifies TxDOT that the designation should be removed before or extended after that date. Each designation extension period must be for 10 years unless a shorter period is requested by the governing body and may be removed or extended for an initial designation.

H.B. 1855 requires TxDOT to erect a sign at each end of the designated portion of a roadway and at appropriate intermediate sites along the roadway indicating that the roadway is a highway safety corridor stating "Fines double: highway safety corridor." The bill authorizes TxDOT by rule to prescribe forms to be used by a municipality or county for the highway safety corridor

designation and the removal or extension of the designation. The bill authorizes TxDOT to distribute literature to the public concerning designated highway safety corridors.

H.B. 1855 establishes that if a rules of the road offense is committed in a highway safety corridor, the minimum and maximum fines applicable to the offense are twice the applicable fines for the offense if committed outside the highway safety corridor. The bill exempts from this provision an offense under statutory provisions relating to the compulsory inspection of vehicles, pedestrians, child passenger safety seat systems, or safety belts.

H.B. 1855 applies only to an offense committed on or after the bill's effective date. The bill provides for the continuation of the law in effect before the bill's effective date for purposes of an offense, or any element thereof, that occurred before that date.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.