

## **BILL ANALYSIS**

Senate Research Center  
88R30690 DIO-F

C.S.H.B. 2190  
By: Canales (Hinojosa)  
Transportation  
5/17/2023  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Highway safety advocates have raised concerns regarding the use of terminology in state law that refers to traffic crashes as traffic "accidents." According to TxDOT, these advocates believe "crash" more accurately reflects the potential and actual seriousness of incidents. This terminology is already in use by TxDOT and the U.S. Department of Transportation.

H.B. 2190 seeks to address this issue by updating the terminology in state law used to describe transportation-related crashes. The bill amends the following codes and Vernon's Texas Civil Statutes to change the terminology used to describe transportation-related accidents from "accident" to "crash":

- Transportation Code
- Business and Commerce Code
- Civil Practice and Remedies Code
- Code of Criminal Procedure
- Education Code
- Family Code
- Government Code
- Insurance Code
- Occupations Code
- Penal Code

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 2190 changes the word "crash" to "collision." It also removes Sections 2 through 6 of the bill as passed by the House of Representatives.

C.S.H.B. 2190 amends current law relating to the terminology used to describe transportation-related accidents.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 22.085(b), Transportation Code, to refer to collisions, rather than accidents.

SECTION 2. Amends Sections 112.103(b) and (c), Transportation Code, to make conforming changes.

SECTION 3. Amends Section 192.005, Transportation Code, as follows:

Sec. 192.005. New heading: RECORD OF COLLISION OR VIOLATION. Makes conforming changes.

SECTION 4. Amends Section 201.806, Transportation Code, as follows:

Sec. 201.806. New heading: COLLISION REPORTS. (a) and (b) Makes conforming changes to these subsections.

SECTION 5. Amends Sections 201.909(a), (b), and (c), Transportation Code, to make conforming changes.

SECTION 6. Amends Sections 201.911(a), (b), and (c), Transportation Code, to make conforming changes.

SECTION 7. Amends Section 222.003(d), Transportation Code, to make conforming changes.

SECTION 8. Amends Section 391.038(c-2), Transportation Code, to make a conforming change.

SECTION 9. Amends Section 451.108(c), Transportation Code, to make a conforming change.

SECTION 10. Amends Section 451.454(c), Transportation Code, to make a conforming change.

SECTION 11. Amends Section 451.455(h), Transportation Code, to make conforming changes.

SECTION 12. Amends Section 452.062(b), Transportation Code, to make a conforming change.

SECTION 13. Amends Section 452.454(c), Transportation Code, to make a conforming change.

SECTION 14. Amends Section 452.455(i), Transportation Code, to make conforming changes.

SECTION 15. Amends Section 460.110(b), Transportation Code, to make a conforming change.

SECTION 16. Amends Section 463.065(b), Transportation Code, to make a conforming change.

SECTION 17. Amends Section 521.025(c), Transportation Code, to make a conforming change.

SECTION 18. Amends Section 521.042, Transportation Code, as follows:

Sec. 521.042. New heading: COLLISION AND CONVICTION REPORTS; INDIVIDUAL RECORDS. (a)-(d) Makes conforming changes to these subsections.

(e) Makes no change to this subsection.

SECTION 19. Amends the heading to Section 521.046, Transportation Code, to read as follows:

Sec. 521.046. DISCLOSURE OF COLLISION AND CONVICTION INFORMATION.

SECTION 20. Amends Section 521.046(a), Transportation Code, to make a conforming change.

SECTION 21. Amends Section 521.047(b), Transportation Code, to make a conforming change.

SECTION 22. Amends Section 521.049(e), Transportation Code, to make a conforming change.

SECTION 23. Amends Section 521.060(a), Transportation Code, to make a conforming change.

SECTION 24. Amends Section 521.292(a), Transportation Code, to make a conforming change.

SECTION 25. Amends Section 521.457(f-2), Transportation Code, to make a conforming change.

SECTION 26. Amends Section 522.003(25), Transportation Code, to make a conforming change.

SECTION 27. Amends Section 522.081(b), Transportation Code, to make a conforming change.

SECTION 28. Amends Section 523.005(a), Transportation Code, to make a conforming change.

SECTION 29. Amends Section 542.206, Transportation Code, to make a conforming change.

SECTION 30. Amends Section 542.4045, Transportation Code, as follows:

Sec. 542.4045. New heading: PENALTIES FOR FAILURE TO YIELD RIGHT-OF-WAY OFFENSE RESULTING IN COLLISION. Makes conforming changes.

SECTION 31. Amends Section 543.002(a), Transportation Code, to make a conforming change.

SECTION 32. Amends Section 543.011(c), Transportation Code, to make conforming changes.

SECTION 33. Amends Section 545.356(d), Transportation Code, to make a conforming change.

SECTION 34. Amends Section 545.3561, Transportation Code, as follows:

Sec. 545.3561. New heading: AUTHORITY OF MUNICIPALITY OR COUNTY TO TEMPORARILY LOWER SPEED LIMIT AT VEHICULAR COLLISION RECONSTRUCTION SITE. (a)-(d) Makes conforming changes to these subsections.

(e) Makes no changes to this subsection.

(f) Makes conforming changes to this subsection.

(g) Makes no changes to this subsection.

(h)-(i) Makes conforming changes to these subsections.

SECTION 35. Amends Section 545.4121(b), Transportation Code, to make a conforming change.

SECTION 36. Amends Section 545.420(i), Transportation Code, to make a conforming change.

SECTION 37. Amends the heading to Section 545.428, Transportation Code, to read as follows:

Sec. 545.428. MOTOR VEHICLE COLLISION INVOLVING PEDESTRIAN OR OTHER VULNERABLE ROAD USER WITHIN AREA OF CROSSWALK: OFFENSE.

SECTION 38. Amends Section 545.455, Transportation Code, as follows:

Sec. 545.455. New heading: DUTIES FOLLOWING COLLISION INVOLVING AUTOMATED MOTOR VEHICLE. Makes a conforming change.

SECTION 39. Amends Section 547.305(d), Transportation Code, to make a conforming change.

SECTION 40. Amends Section 547.615(a)(2), Transportation Code, to make conforming changes.

SECTION 41. Amends Section 547.615(c), Transportation Code, to make conforming changes.

SECTION 42. Amends Section 548.053(b), Transportation Code, to require that a vehicle that is inspected and is subsequently involved in a collision or other incident, rather than involved in an accident, affecting the safe operation of an item of inspection be reinspected following repair.

SECTION 43. Amends the heading to Chapter 550, Transportation Code, to read as follows:

## CHAPTER 550. COLLISIONS AND COLLISION REPORTS

SECTION 44. Amends the heading to Subchapter B, Chapter 550, Transportation Code, to read as follows:

### SUBCHAPTER B. DUTIES FOLLOWING COLLISION

SECTION 45. Amends Section 550.021, Transportation Code, as follows:

Sec. 550.021. New heading: COLLISION INVOLVING PERSONAL INJURY OR DEATH. (a) Makes conforming changes to this subsection.

(b) Makes no changes to this subsection.

(c) Makes conforming changes to this subsection.

SECTION 46. Amends the heading to Section 550.022, Transportation Code, to read as follows:

Sec. 550.022. COLLISION INVOLVING DAMAGE TO VEHICLE.

SECTION 47. Amends Sections 550.022(a) and (b), Transportation Code, to make conforming changes.

SECTION 48. Amends Section 550.023, Transportation Code, to make conforming changes.

SECTION 49. Amends Section 550.025(a), Transportation Code, to make conforming changes.

SECTION 50. Amends Section 550.026, Transportation Code, as follows:

Sec. 550.026. New heading: IMMEDIATE REPORT OF COLLISION. (a) and (b) Makes conforming changes to these subsections.

SECTION 51. Amends the heading to Subchapter C, Chapter 550, Transportation Code, to read as follows:

### SUBCHAPTER C. INVESTIGATION OF COLLISION

SECTION 52. Amends Section 550.041(a), Transportation Code, to make conforming changes.

SECTION 53. Amends the heading to Subchapter D, Chapter 550, Transportation Code, to read as follows:

### SUBCHAPTER D. WRITTEN COLLISION REPORT

SECTION 54. Amends Section 550.062, Transportation Code, as follows:

Sec. 550.062. New heading: OFFICER'S COLLISION REPORT. (a)-(c) Makes conforming changes to these subsections.

SECTION 55. Amends Section 550.063, Transportation Code, to make conforming changes.

SECTION 56. Amends Section 550.064, Transportation Code, as follows:

Sec. 550.064. New heading: COLLISION REPORT FORMS. (a) and (b) Makes conforming changes to these subsections.

SECTION 57. Amends Section 550.065, Transportation Code, as follows:

Sec. 550.065. New heading: RELEASE OF CERTAIN INFORMATION RELATING TO COLLISIONS. (a)-(f) Makes conforming changes to these subsections.

(g) Makes no changes to this subsection.

SECTION 58. Amends Section 550.066, Transportation Code, as follows:

Sec. 550.066. New heading: ADMISSIBILITY OF CERTAIN COLLISION REPORT INFORMATION. Makes a conforming change.

SECTION 59. Amends Section 550.067, Transportation Code, as follows:

Sec. 550.067. New heading: MUNICIPAL AUTHORITY TO REQUIRE COLLISION REPORTS. (a) Makes conforming changes to this subsection.

(b) Makes no changes to this subsection.

(c) Makes a conforming change to this subsection.

SECTION 60. Amends Section 550.068, Transportation Code, as follows:

Sec. 550.068. New heading: CHANGING COLLISION REPORT. (a) and (b) Makes conforming changes to these subsections.

SECTION 61. Amends Sections 550.081(b) and (c), Transportation Code, to make conforming changes.

SECTION 62. Amends Section 601.002(3), Transportation Code, to make a conforming change.

SECTION 63. Amends Section 601.003(b), Transportation Code, to make conforming and nonsubstantive changes.

SECTION 64. Amends Section 601.006, Transportation Code, to make conforming changes.

SECTION 65. Amends Sections 601.009(b) and (c), Transportation Code, to make conforming changes.

SECTION 66. Amends Section 601.053(a), Transportation Code, to make a conforming change.

SECTION 67. Amends Section 601.056(e), Transportation Code, to make a conforming change.

SECTION 68. Amends Sections 601.072(a-1) and (b), Transportation Code, to make conforming changes.

SECTION 69. Amends Section 601.084(c), Transportation Code, to make a conforming change.

SECTION 70. Amends Section 601.086, Transportation Code, to make a conforming change.

SECTION 71. Amends Section 601.124(c), Transportation Code, to make a conforming change.

SECTION 72. Amends the heading to Subchapter F, Chapter 601, Transportation Code, to read as follows:

#### SUBCHAPTER F. SECURITY FOLLOWING COLLISION

SECTION 73. Amends Section 601.151, Transportation Code, to make conforming changes.

SECTION 74. Amends Section 601.152(a), Transportation Code, to make conforming changes.

SECTION 75. Amends Sections 601.154(a), (c), and (d), Transportation Code, to make conforming changes.

SECTION 76. Amends Section 601.155(b), Transportation Code, to make a conforming change.

SECTION 77. Amends Section 601.157(b), Transportation Code, to make conforming changes.

SECTION 78. Amends Section 601.158(a), Transportation Code, to make a conforming change.

SECTION 79. Amends Section 601.162(a), Transportation Code, to make conforming changes.

SECTION 80. Amends Section 601.163(b), Transportation Code, to make a conforming change.

SECTION 81. Amends Section 601.164(a), Transportation Code, to make a conforming change.

SECTION 82. Amends Section 601.166, Transportation Code, to make conforming changes.

SECTION 83. Amends Section 601.167, Transportation Code, to make conforming changes.

SECTION 84. Amends Section 601.168(b), Transportation Code, to make a conforming change.

SECTION 85. Amends Section 601.169, Transportation Code, to make conforming changes.

SECTION 86. Amends Section 601.291, Transportation Code, to make a conforming change.

SECTION 87. Amends Section 601.292, Transportation Code, to make a conforming change.

SECTION 88. Amends Sections 601.293(b), (c), and (d), Transportation Code, to make conforming changes.

SECTION 89. Amends Section 601.294, Transportation Code, to make a conforming change.

SECTION 90. Amends Section 601.296(a), Transportation Code, to make conforming changes.

SECTION 91. Amends Section 601.333, Transportation Code, to make conforming changes.

SECTION 92. Amends Section 622.954(a), Transportation Code, to make a conforming change.

SECTION 93. Amends Section 623.0172(l), Transportation Code, to make a conforming change.

SECTION 94. Amends Section 623.410, Transportation Code, to make a conforming change.

SECTION 95. Amends Section 643.105, Transportation Code, to make conforming changes.

SECTION 96. Amends Section 644.151(b-1), Transportation Code, to make conforming changes.

SECTION 97. Amends Sections 661.003(c) and (i), Transportation Code, to make conforming changes.

SECTION 98. Amends Section 686.001(1), Transportation Code, to make a conforming change.

SECTION 99. Amends Section 686.004(a), Transportation Code, to make conforming changes.

SECTION 100. Amends Section 686.005, Transportation Code, to make a conforming change.

SECTION 101. Amends Section 709.002(e), Transportation Code, to make a conforming change.

SECTION 102. Amends Section 723.011(a), Transportation Code, to make conforming changes.

SECTION 103. Amends Section 723.012, Transportation Code, to make a conforming change.

SECTION 104. Amends Section 723.013(a), Transportation Code, to make a conforming change.

SECTION 105. Amends Section 724.012(a-1) and (b), Transportation Code, to make conforming changes.

SECTION 106. Amends Section 726.002, Transportation Code, to make a conforming change.

SECTION 107. Amends Sections 730.003(4) and (6), Transportation Code, to make conforming changes.

SECTION 108. Amends Section 1006.153(e), Transportation Code, to make a conforming change.

SECTION 109. Amends the heading to Chapter 504, Business and Commerce Code, to read as follows:

**CHAPTER 504. PROHIBITED USE OF CRIME VICTIM OR MOTOR VEHICLE  
COLLISION INFORMATION**

SECTION 110. Amends Section 504.001(2), Business and Commerce Code, to refer to a collision, rather than an accident.

SECTION 111. Amends Section 504.002(a), Business and Commerce Code, to make conforming changes.

SECTION 112. Amends Section 170.062(a), Civil Practice and Remedies Code, to refer to a collision, rather than an accident, and to make a nonsubstantive change.

SECTION 113. Amends Section 30.006(e), Civil Practice and Remedies Code, to make conforming changes.

SECTION 114. Amends Section 72.001, Civil Practice and Remedies Code, to make conforming changes and a nonsubstantive change.

SECTION 115. Amends Section 72.051, Civil Practice and Remedies Code, by amending Subdivisions (2) and (4) and adding Subdivision (5-a) to define "collision" and to make conforming changes.

SECTION 116. Amends the heading to Section 72.052, Civil Practice and Remedies Code, to read as follows:

**Sec. 72.052. BIFURCATED TRIAL IN CERTAIN COMMERCIAL MOTOR VEHICLE  
COLLISION ACTIONS.**

SECTION 117. Amends Sections 72.054(a), (c), (d), and (f), Civil Practice and Remedies Code, to make conforming changes.

SECTION 118. Amends Section 72.055, Civil Practice and Remedies Code, as follows:

**Sec. 72.055. New heading: ADMISSIBILITY OF VISUAL DEPICTIONS OF  
COLLISION. Makes conforming changes.**

SECTION 119. Amends Article 12.01, Code of Criminal Procedure, to refer to a collision, rather than an accident.

SECTION 120. Amends the heading to Article 42A.516, Code of Criminal Procedure, to read as follows:

Art. 42A.516. COMMUNITY SUPERVISION FOR LEAVING SCENE OF MOTOR VEHICLE COLLISION RESULTING IN DEATH OF PERSON.

SECTION 121. Amends Article 49.10(j), Code of Criminal Procedure, to make a conforming change.

SECTION 122. Amends Article 59.01(3), Code of Criminal Procedure, to make a conforming change.

SECTION 123. Amends the heading to Section 34.015, Education Code, to read as follows:

Sec. 34.015. REPORTING OF BUS COLLISIONS.

SECTION 124. Amends Section 34.015(b), Education Code, to refer to collisions and collision, rather than accidents and accident.

SECTION 125. Amends Section 53.352(g), Education Code, to make a conforming change.

SECTION 126. Amends Section 1001.1015(b), Education Code, to make a conforming change.

SECTION 127. Amends Section 1001.112(b), Education Code, to make conforming changes.

SECTION 128. Amends Section 203.007(b), Family Code, to refer to collisions, rather than accidents.

SECTION 129. Amends Section 264.513(c), Family Code, to make conforming changes.

SECTION 130. Amends Section 411.019(a), Government Code, to refer to collisions, rather than accidents.

SECTION 131. Amends Section 411.0726(e), Government Code, to make a conforming change.

SECTION 132. Amends Section 411.0731(e), Government Code, to make a conforming change.

SECTION 133. Amends Section 411.0736(e), Government Code, to make a conforming change.

SECTION 134. Amends Section 423.002(a), Government Code, to make conforming changes.

SECTION 135. Amends Section 1952.155, Insurance Code, to refer to a collision, rather than an accident.

SECTION 136. Amends Section 1954.056(b), Insurance Code, to make conforming changes.

SECTION 137. Amends Section 2308.002(5-a), Occupations Code, to refer to a collision, rather than an accident.

SECTION 138. Amends Sections 2308.209(c), (d), and (h), Occupations Code, to make conforming changes.

SECTION 139. Amends the heading to Section 38.18, Penal Code, to read as follows:

Sec. 38.18. USE OF COLLISION REPORT INFORMATION AND OTHER INFORMATION FOR PECUNIARY GAIN.

SECTION 140. Amends Section 2(4-a), Article 6243g-4, Vernon's Texas Civil Statutes, to refer to a collision, rather than an accident.

SECTION 141. Repealer: Section 72.051(1) (relating to the definition of "accident"), Civil Practice and Remedies Code.



SECTION 142. Provides that the changes in law made by this Act are nonsubstantive and are intended to clarify rather than change existing law.

SECTION 143. Provides that, to the extent of any conflict, this Act prevails over another Act of the 87th Legislature, Regular Session, 2021, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 144. Effective date: September 1, 2021.