

BILL ANALYSIS

C.S.H.B. 2564
By: Anchía
Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Due to the national police staffing crisis, law enforcement response times to motor vehicle accidents across the state have increased profoundly. Individuals involved in motor vehicle accidents have reported waiting hours for police to respond to their accident due to the dwindling number of police officers available who must prioritize more serious calls ahead of motor vehicle accidents. C.S.H.B. 2564 seeks to address this issue and positively impact a law enforcement agency's ability to respond to motor vehicle accidents in a timely manner by authorizing certain agency employees who are not peace officers to respond to and investigate the more minor motor vehicle accidents.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2564 amends the Transportation Code, with respect to the investigation of certain motor vehicle accidents that do not occur in a privately owned residential parking area or a privately owned parking lot where a fee is charged for parking or storing a vehicle, to increase from \$1,000 to \$5,000 the minimum apparent damage to property resulting from a motor vehicle accident that triggers the authorization, under current law, for a law enforcement officer to investigate the accident and file justifiable charges and that triggers the requirement, under current law, for an officer to make a written report of the accident. In addition, with respect to such accidents, the bill authorizes an employee of a law enforcement agency who is not a peace officer but who has successfully completed a training program that satisfies the applicable requirements of statutory provisions establishing school curriculum requirements for peace officer training programs to investigate the accident, without regard to whether the accident occurred on property to which the rules of the road relating to accidents and accident reports applies, if the following conditions are satisfied:

- no offense was committed during the accident, other than a fine-only misdemeanor; and
- no injury or death of a person occurred as a result of the accident.

The bill requires the employee to make a written report summarizing the findings of the investigation and subjects that accident report to the same provisions applicable to a peace officer's accident report.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 2564 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute revises the provisions of the introduced authorizing certain employees of a law enforcement agency to investigate certain minor motor vehicle accidents as follows:

- limits the employees to whom that authorization applies to employees who are not peace officers;
- replaces the requirement for the training program that an agency employee must complete to receive that investigation authority from one approved by the Texas Commission on Law Enforcement to a program that satisfies the applicable requirements of statutory provisions establishing school curriculum requirements for peace officer training programs; and
- with respect to the condition imposed on that authority by the introduced that no offense must have been committed during the accident, the substitute revises that condition to allow for the investigatory authority to be conferred even if a fine-only misdemeanor offense occurred.

The substitute includes provisions absent from the introduced increasing from \$1,000, under current law, to \$5,000 the minimum apparent damage to property resulting from a motor vehicle accident that triggers the authorization for a law enforcement officer to investigate the accident and file justifiable charges and that triggers the requirement for an officer to make a written report of the accident.