

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 collisions [~~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. Sections 112.103(b) and (c), Transportation Code, are amended to read as follows:

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

(c) The operator shall render to a person injured in the collision [~~accident~~] reasonable assistance, including transporting, or the making of arrangements for transporting, the person to a physician, surgeon, or hospital for medical or surgical treatment if it is apparent that treatment is necessary or if the

1 injured person requests transportation.

2 SECTION 3. Section 192.005, Transportation Code, is amended
3 to read as follows:

4 Sec. 192.005. RECORD OF COLLISION [~~ACCIDENT~~] OR
5 VIOLATION. If a person operating a railroad locomotive or train is
6 involved in a collision [~~an accident~~] with another train or a motor
7 vehicle or is arrested for violation of a law relating to the
8 person's operation of a railroad locomotive or train:

9 (1) the number of or other identifying information on
10 the person's driver's license or commercial driver's license may not
11 be included in any report of the collision [~~accident~~] or violation;
12 and

13 (2) the person's involvement in the collision
14 [~~accident~~] or violation may not be recorded in the person's
15 individual driving record maintained by the Department of Public
16 Safety.

17 SECTION 4. Section 201.806, Transportation Code, is amended
18 to read as follows:

19 Sec. 201.806. COLLISION [~~ACCIDENT~~] REPORTS. (a) The
20 department shall:

21 (1) tabulate and analyze the vehicle collision
22 [~~accident~~] reports it receives; and

23 (2) annually or more frequently publish on the
24 department's Internet website statistical information derived from
25 the collision [~~accident~~] reports as to the number, cause, and
26 location of highway collisions [~~accidents~~], including information
27 regarding the number of:

1 (A) collisions [~~accidents~~] involving injury to,
2 death of, or property damage to a bicyclist or pedestrian; and

3 (B) fatalities caused by a bridge collapse, as
4 defined by Section 550.081.

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

9 SECTION 5. Sections 201.909(a), (b), and (c),
10 Transportation Code, are amended to read as follows:

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

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

19 (c) A sign designed and posted under this section shall
20 include:

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

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

24 (3) the date of the collision [~~accident~~] that resulted
25 in the victim's death.

26 SECTION 6. Sections 201.911(a), (b), and (c),
27 Transportation Code, are amended to read as follows:

1 (a) In this section, "victim" means a person killed in a
2 highway collision [~~accident~~] while operating or riding on a
3 motorcycle.

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

7 (c) A sign designed and posted under this section shall
8 include:

9 (1) a red cross;

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

12 (3) the date of the collision [~~accident~~] that resulted
13 in the victim's death.

14 SECTION 7. Section [222.003](#)(d), Transportation Code, is
15 amended to read as follows:

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

27 SECTION 8. Section [391.038](#)(c-2), Transportation Code, is

1 amended to read as follows:

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

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

8 SECTION 9. Section 451.108(c), Transportation Code, is
9 amended to read as follows:

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

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

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

22 (3) enforce traffic laws and investigate traffic
23 collisions [~~accidents~~] that involve or occur in the transit
24 authority system; and

25 (4) provide emergency and public safety services to
26 the transit authority system or users of the transit authority
27 system.

1 SECTION 10. Section 451.454(c), Transportation Code, is
2 amended to read as follows:

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

4 (1) one or more of the following:

5 (A) the administration and management of the
6 authority;

7 (B) transit operations; or

8 (C) transit authority system maintenance;

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

11 (3) the following performance indicators:

12 (A) operating cost per passenger, per revenue
13 mile, and per revenue hour;

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

15 (C) fare recovery rate;

16 (D) average vehicle occupancy;

17 (E) on-time performance;

18 (F) number of collisions [~~accidents~~] per 100,000
19 miles; and

20 (G) number of miles between mechanical road
21 calls.

22 SECTION 11. Section 451.455(h), Transportation Code, is
23 amended to read as follows:

24 (h) The number of collisions [~~accidents~~] per 100,000 miles
25 is computed by multiplying the annual number of collisions
26 [~~accidents~~] by 100,000 and dividing the product by the number of
27 miles for all service, including charter and nonrevenue service,

1 directly operated by the authority for the same period. In this
2 subsection, "collision [~~accident~~]" includes:

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

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

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

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

14 SECTION 13. Section 452.454(c), Transportation Code, is
15 amended to read as follows:

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

17 (1) one or more of the following:

18 (A) the administration and management of the
19 authority;

20 (B) transit operations; or

21 (C) transit authority system maintenance;

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

24 (3) the following performance indicators:

25 (A) subsidy per passenger, operating cost per
26 revenue mile, and operating cost per revenue hour;

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

- 1 (C) fare recovery rate;
- 2 (D) number of passengers per hour;
- 3 (E) on-time performance;
- 4 (F) number of collisions [~~accidents~~] per 100,000
- 5 miles; and
- 6 (G) number of miles between mechanical service
- 7 calls.

8 SECTION 14. Section 452.455(i), Transportation Code, is
9 amended to read as follows:

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

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

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

22 SECTION 15. Section 460.110(b), Transportation Code, is
23 amended to read as follows:

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

27 SECTION 16. Section 463.065(b), Transportation Code, is

1 amended to read as follows:

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

5 SECTION 17. Section 521.025(c), Transportation Code, is
6 amended to read as follows:

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

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

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

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

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

19 (C) both the fine and confinement; and

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

26 SECTION 18. Section 521.042, Transportation Code, is
27 amended to read as follows:

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

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

9 (1) conviction of that license holder; and

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

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

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

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

27 (d) Before issuing or renewing a license, the department

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

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

8 SECTION 19. The heading to Section 521.046, Transportation
9 Code, is amended to read as follows:

10 Sec. 521.046. DISCLOSURE OF COLLISION [~~ACCIDENT~~] AND
11 CONVICTION INFORMATION.

12 SECTION 20. Section 521.046(a), Transportation Code, is
13 amended to read as follows:

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

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

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

27 SECTION 21. Section 521.047(b), Transportation Code, is

1 amended to read as follows:

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

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

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

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

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

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

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

14 SECTION 22. Section [521.049](#)(e), Transportation Code, is
15 amended to read as follows:

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

21 SECTION 23. 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 collision [~~accident~~] or another
2 emergency situation. In addition, the department shall maintain
3 in its files a record of any medical information described by
4 Section 521.125(a) that is provided to the department under
5 Subsection (c) or any health condition information that is
6 voluntarily provided to the department under Section 521.142(h).

7 SECTION 24. 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 collision
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 25. 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
12 collision [~~accident~~] that resulted in serious bodily injury to or
13 the death of another person.

14 SECTION 26. 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 collision [~~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 27. 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 collision [~~an~~
24 ~~accident~~] 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 28. 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 collision [~~accident~~] resulting in the
11 death or personal injury of another.

12 SECTION 29. 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 collision [~~an accident~~].

19 SECTION 30. 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 COLLISION [~~ACCIDENT~~]. If it is shown on the
23 trial of an offense under this subtitle in which an element is the
24 failure by the operator of a vehicle to yield the right-of-way to
25 another vehicle that a collision [~~an accident~~] resulted from the
26 operator's 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 collision [~~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 collision [~~accident~~].

8 SECTION 31. 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 collision [~~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 32. 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 and the Office of Foreign Missions of the

1 United States Department of State the following:

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

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

7 SECTION 33. 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 collisions [~~accidents~~]
21 that resulted in injury or death and were attributable to speed
22 limit violations on the highway or part of the highway.

23 SECTION 34. 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 COLLISION [~~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 collision [~~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 collision [~~accident~~] reconstruction. The authority
13 granted under this subsection does not include a road or highway in
14 the state highway system.

15 (c) The Texas Department of Transportation shall develop
16 safety guidelines for the use of vehicular collision [~~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 collision [~~accident~~] reconstruction
24 shall, at least 48 hours before temporary speed limit signs are
25 posted for the vehicular collision [~~accident~~] reconstruction site,
26 provide to the Texas Department of Transportation notice that
27 includes:

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

3 (2) the location of the collision [~~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 collision [~~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 collision
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 collision [~~accident~~]
25 reconstruction site that give notice of a speed limit that would
26 permit a person to operate a motor vehicle at a higher rate of
27 speed; and

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

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

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

15 (1) finds that the vehicular collision [~~accident~~]
16 reconstruction is complete; and

17 (2) removes all temporary signs, concealments, and
18 equipment used at the vehicular collision [~~accident~~]
19 reconstruction site.

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

25 SECTION 35. Section [545.4121\(b\)](#), Transportation Code, is
26 amended to read as follows:

27 (b) It is a defense to prosecution of an offense to which

1 this section applies that the defendant provides to the court
2 evidence satisfactory to the court that:

3 (1) at the time of the offense:

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

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

8 (C) the vehicle the defendant was operating was
9 not involved in a collision [~~an accident~~]; and

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

14 SECTION 36. Section 545.420(i), Transportation Code, is
15 amended to read as follows:

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

1 SECTION 37. The heading to Section 545.428, Transportation
2 Code, is amended to read as follows:

3 Sec. 545.428. MOTOR VEHICLE COLLISION [~~ACCIDENT~~] INVOLVING
4 PEDESTRIAN OR OTHER VULNERABLE ROAD USER WITHIN AREA OF CROSSWALK;
5 OFFENSE.

6 SECTION 38. Section 545.455, Transportation Code, is
7 amended to read as follows:

8 Sec. 545.455. DUTIES FOLLOWING COLLISION [~~ACCIDENT~~]
9 INVOLVING AUTOMATED MOTOR VEHICLE. In the event of a collision [~~an~~
10 ~~accident~~] involving an automated motor vehicle, the automated motor
11 vehicle or any human operator of the automated motor vehicle shall
12 comply with Chapter 550.

13 SECTION 39. Section 547.305(d), Transportation Code, is
14 amended to read as follows:

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

18 (1) a school bus;
19 (2) an authorized emergency vehicle;
20 (3) a church bus that has the words "church bus"
21 printed on the front and rear of the bus so as to be clearly
22 discernable to other vehicle operators;

23 (4) a tow truck while under the direction of a law
24 enforcement officer at the scene of a collision [~~an accident~~] or
25 while hooking up to a disabled vehicle on a roadway; or

26 (5) a tow truck with a mounted light bar which has turn
27 signals and stop lamps in addition to those required by Sections

1 547.322, 547.323, and 547.324, Transportation Code.

2 SECTION 40. Section 547.615(a)(2), Transportation Code, is
3 amended to read as follows:

4 (2) "Recording device" means a feature that is
5 installed by the manufacturer in a motor vehicle and that does any
6 of the following for the purpose of retrieving information from the
7 vehicle after a collision [~~an accident~~] in which the vehicle has
8 been involved:

9 (A) records the speed and direction the vehicle
10 is traveling;

11 (B) records vehicle location data;

12 (C) records steering performance;

13 (D) records brake performance, including
14 information on whether brakes were applied before a collision [~~an~~
15 ~~accident~~];

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

17 (F) transmits information concerning the
18 collision [~~accident~~] to a central communications system when the
19 collision [~~accident~~] occurs.

20 SECTION 41. Section 547.615(c), Transportation Code, is
21 amended to read as follows:

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

25 (1) on court order;

26 (2) with the consent of the owner for any purpose,
27 including for the purpose of diagnosing, servicing, or repairing

1 the motor vehicle;

2 (3) for the purpose of improving motor vehicle safety,
3 including for medical research on the human body's reaction to
4 motor vehicle collisions [~~accidents~~], if the identity of the owner
5 or driver of the vehicle is not disclosed in connection with the
6 retrieved information; or

7 (4) for the purpose of determining the need for or
8 facilitating emergency medical response in the event of a motor
9 vehicle collision [~~accident~~].

10 SECTION 42. Section 548.053(b), Transportation Code, is
11 amended to read as follows:

12 (b) A vehicle that is inspected and is subsequently involved
13 in a collision or other incident [~~an accident~~] affecting the safe
14 operation of an item of inspection must be reinspected following
15 repair. The reinspection must be at an inspection station and shall
16 be treated and charged as an initial inspection.

17 SECTION 43. The heading to Chapter 550, Transportation
18 Code, is amended to read as follows:

19 CHAPTER 550. COLLISIONS [~~ACCIDENTS~~] AND COLLISION [~~ACCIDENT~~]
20 REPORTS

21 SECTION 44. The heading to Subchapter B, Chapter 550,
22 Transportation Code, is amended to read as follows:

23 SUBCHAPTER B. DUTIES FOLLOWING COLLISION [~~ACCIDENT~~]

24 SECTION 45. Section 550.021, Transportation Code, is
25 amended to read as follows:

26 Sec. 550.021. COLLISION [~~ACCIDENT~~] INVOLVING PERSONAL
27 INJURY OR DEATH. (a) The operator of a vehicle involved in a

1 collision [~~an accident~~] that results or is reasonably likely to
2 result in injury to or death of a person shall:

3 (1) immediately stop the vehicle at the scene of the
4 collision [~~accident~~] or as close to the scene as possible;

5 (2) immediately return to the scene of the collision
6 [~~accident~~] if the vehicle is not stopped at the scene of the
7 collision [~~accident~~];

8 (3) immediately determine whether a person is involved
9 in the collision [~~accident~~], and if a person is involved in the
10 collision [~~accident~~], whether that person requires aid; and

11 (4) remain at the scene of the collision [~~accident~~]
12 until the operator complies with the requirements of Section
13 550.023.

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

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

20 (1) involving a collision [~~an accident~~] resulting in:

21 (A) death of a person is a felony of the second
22 degree; or

23 (B) serious bodily injury, as defined by Section
24 1.07, Penal Code, to a person is a felony of the third degree; and

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

27 (A) imprisonment in the Texas Department of

1 Criminal Justice for not more than five years or confinement in the
2 county jail for not more than one year;

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

4 (C) both the fine and the imprisonment or
5 confinement.

6 SECTION 46. The heading to Section 550.022, Transportation
7 Code, is amended to read as follows:

8 Sec. 550.022. COLLISION [~~ACCIDENT~~] INVOLVING DAMAGE TO
9 VEHICLE.

10 SECTION 47. Sections 550.022(a) and (b), Transportation
11 Code, are amended to read as follows:

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

15 (1) immediately stop the vehicle at the scene of the
16 collision [~~accident~~] or as close as possible to the scene of the
17 collision [~~accident~~] without obstructing traffic more than is
18 necessary;

19 (2) immediately return to the scene of the collision
20 [~~accident~~] if the vehicle is not stopped at the scene of the
21 collision [~~accident~~]; and

22 (3) remain at the scene of the collision [~~accident~~]
23 until the operator complies with the requirements of Section
24 550.023.

25 (b) If a collision [~~an accident~~] occurs on a main lane,
26 ramp, shoulder, median, or adjacent area of a freeway in a
27 metropolitan area and each vehicle involved can be normally and

1 safely driven, each operator shall move the operator's vehicle as
2 soon as possible to a designated collision [~~accident~~] investigation
3 site, if available, a location on the frontage road, the nearest
4 suitable cross street, or other suitable location to complete the
5 requirements of Section 550.023 and minimize interference with
6 freeway traffic.

7 SECTION 48. Section 550.023, Transportation Code, is
8 amended to read as follows:

9 Sec. 550.023. DUTY TO GIVE INFORMATION AND RENDER AID. The
10 operator of a vehicle involved in a collision [~~an accident~~]
11 resulting in the injury or death of a person or damage to a vehicle
12 that is driven or attended by a person shall:

13 (1) give the operator's name and address, the
14 registration number of the vehicle the operator was driving, and
15 the name of the operator's motor vehicle liability insurer to any
16 person injured or the operator or occupant of or person attending a
17 vehicle involved in the collision;

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

20 (3) provide any person injured in the collision
21 [~~accident~~] reasonable assistance, including transporting or making
22 arrangements for transporting the person to a physician or hospital
23 for medical treatment if it is apparent that treatment is
24 necessary, or if the injured person requests the transportation.

25 SECTION 49. Section 550.025(a), Transportation Code, is
26 amended to read as follows:

27 (a) The operator of a vehicle involved in a collision [~~an~~

1 ~~accident~~] resulting only in damage to a structure adjacent to a
2 highway or a fixture or landscaping legally on or adjacent to a
3 highway shall:

4 (1) take reasonable steps to locate and notify the
5 owner or person in charge of the property of the collision
6 ~~[accident]~~ and of the operator's name and address and the
7 registration number of the vehicle the operator was driving; and

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

10 SECTION 50. Section 550.026, Transportation Code, is
11 amended to read as follows:

12 Sec. 550.026. IMMEDIATE REPORT OF COLLISION ~~[ACCIDENT]~~.

13 (a) The operator of a vehicle involved in a collision ~~[an accident]~~
14 resulting in injury to or death of a person or damage to a vehicle to
15 the extent that it cannot be normally and safely driven shall
16 immediately by the quickest means of communication give notice of
17 the collision ~~[accident]~~ to the:

18 (1) local police department if the collision
19 ~~[accident]~~ occurred in a municipality;

20 (2) local police department or the sheriff's office if
21 the collision ~~[accident]~~ occurred not more than 100 feet outside
22 the limits of a municipality; or

23 (3) sheriff's office or the nearest office of the
24 department if the collision ~~[accident]~~ is not required to be
25 reported under Subdivision (1) or (2).

26 (b) If a section of road is within 100 feet of the limits of
27 more than one municipality, the municipalities may agree regarding

1 the maintenance of reports made under Subsection (a)(2). A county
2 may agree with municipalities in the county regarding the
3 maintenance of reports made under Subsection (a)(2). An agreement
4 under this subsection does not affect the duty to report a collision
5 [~~an accident~~] under Subsection (a).

6 SECTION 51. The heading to Subchapter C, Chapter 550,
7 Transportation Code, is amended to read as follows:

8 SUBCHAPTER C. INVESTIGATION OF COLLISION [~~ACCIDENT~~]

9 SECTION 52. Section 550.041(a), Transportation Code, is
10 amended to read as follows:

11 (a) A peace officer who is notified of a motor vehicle
12 collision [~~accident~~] resulting in injury to or death of a person or
13 property damage to an apparent extent of at least \$1,000 may
14 investigate the collision [~~accident~~] and file justifiable charges
15 relating to the collision [~~accident~~] without regard to whether the
16 collision [~~accident~~] occurred on property to which this chapter
17 applies.

18 SECTION 53. The heading to Subchapter D, Chapter 550,
19 Transportation Code, is amended to read as follows:

20 SUBCHAPTER D. WRITTEN COLLISION [~~ACCIDENT~~] REPORT

21 SECTION 54. Section 550.062, Transportation Code, is
22 amended to read as follows:

23 Sec. 550.062. OFFICER'S COLLISION [~~ACCIDENT~~] REPORT. (a)
24 A law enforcement officer who in the regular course of duty
25 investigates a motor vehicle collision [~~accident~~] shall make a
26 written report of the collision [~~accident~~] if the collision
27 [~~accident~~] resulted in injury to or the death of a person or damage

1 to the property of any one person to the apparent extent of \$1,000
2 or more.

3 (b) The report required by Subsection (a) must be filed
4 electronically with the department not later than the 10th day
5 after the date of the collision [~~accident~~].

6 (b-1) If the motor vehicle collision [~~accident~~] involved a
7 combination of vehicles operating under a permit issued under
8 Section 623.402, the report required by Subsection (a) must include
9 the weight and the number of axles of the vehicle combination.

10 (c) This section applies without regard to whether the
11 officer investigates the collision [~~accident~~] at the location of
12 the collision [~~accident~~] and immediately after the collision
13 [~~accident~~] or afterwards by interviewing those involved in the
14 collision [~~accident~~] or witnesses to the collision [~~accident~~].

15 SECTION 55. Section 550.063, Transportation Code, is
16 amended to read as follows:

17 Sec. 550.063. REPORT ON APPROPRIATE FORM. The form of all
18 written collision [~~accident~~] reports must be approved by the
19 department and the Department of Public Safety. A person who is
20 required to file a written collision [~~accident~~] report shall report
21 on the appropriate form and shall disclose all information required
22 by the form unless the information is not available.

23 SECTION 56. Section 550.064, Transportation Code, is
24 amended to read as follows:

25 Sec. 550.064. COLLISION [~~ACCIDENT~~] REPORT FORMS. (a) The
26 department shall prepare and when requested supply to police
27 departments, coroners, sheriffs, garages, and other suitable

1 agencies or individuals the collision [~~accident~~] report forms
2 appropriate for the persons required to make a report and
3 appropriate for the purposes to be served by those reports.

4 (b) A collision [~~An accident~~] report form prepared by the
5 department must:

6 (1) require sufficiently detailed information to
7 disclose the cause and conditions of and the persons and vehicles
8 involved in a collision [~~an accident~~] if the form is for the report
9 to be made by a person investigating the collision [~~accident~~];

10 (2) include a way to designate and identify a peace
11 officer, firefighter, or emergency medical services employee who is
12 involved in a collision [~~an accident~~] while driving a law
13 enforcement vehicle, fire department vehicle, or emergency medical
14 services vehicle while performing the person's duties;

15 (3) require a statement by a person described by
16 Subdivision (2) as to the nature of the collision [~~accident~~]; and

17 (4) include a way to designate whether an individual
18 involved in a collision [~~an accident~~] wants to be contacted by a
19 person seeking to obtain employment as a professional described by
20 Section 38.01(12), Penal Code.

21 SECTION 57. Section 550.065, Transportation Code, is
22 amended to read as follows:

23 Sec. 550.065. RELEASE OF CERTAIN INFORMATION RELATING TO
24 COLLISIONS [~~ACCIDENTS~~]. (a) This section applies only to the
25 following information that is held by the department or another
26 governmental entity:

27 (1) a written report of a collision [~~an accident~~]

1 required under:

2 (A) Section 550.062; or

3 (B) former Section 550.061 or 601.004 before
4 September 1, 2017; or

5 (2) collision [~~accident~~] report information compiled
6 under Section 201.806.

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

9 (1) the department; and

10 (2) an agency of the United States, this state, or a
11 local government of this state that has use for the information for
12 collision [~~accident~~] prevention purposes.

13 (c) On written request and payment of any required fee, the
14 department or the governmental entity shall release the information
15 to:

16 (1) an entity described by Subsection (b);

17 (2) the law enforcement agency that employs the peace
18 officer who investigated the collision [~~accident~~] and sent the
19 information to the department, including an agent of the law
20 enforcement agency authorized by contract to obtain the
21 information;

22 (3) the court in which a case involving a person
23 involved in the collision [~~accident~~] is pending if the report is
24 subpoenaed; or

25 (4) any person directly concerned in the collision
26 [~~accident~~] or having a proper interest therein, including:

27 (A) any person involved in the collision

1 ~~[accident]~~;

2 (B) the authorized representative of any person
3 involved in the collision ~~[accident]~~;

4 (C) a driver involved in the collision
5 ~~[accident]~~;

6 (D) an employer, parent, or legal guardian of a
7 driver involved in the collision ~~[accident]~~;

8 (E) the owner of a vehicle or property damaged in
9 the collision ~~[accident]~~;

10 (F) a person who has established financial
11 responsibility for a vehicle involved in the collision ~~[accident]~~
12 in a manner described by Section 601.051, including a policyholder
13 of a motor vehicle liability insurance policy covering the vehicle;

14 (G) an insurance company that issued an insurance
15 policy covering a vehicle involved in the collision ~~[accident]~~;

16 (H) an insurance company that issued a policy
17 covering any person involved in the collision ~~[accident]~~;

18 (I) a person under contract to provide claims or
19 underwriting information to a person described by Paragraph (F),
20 (G), or (H);

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

23 (K) a newspaper that is:

24 (i) a free newspaper of general circulation
25 or qualified under Section 2051.044, Government Code, to publish
26 legal notices;

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

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

3 (L) any person who may sue because of death
4 resulting from the collision [~~accident~~].

5 (c-1) On receiving information to which this section
6 applies, the department or the governmental entity that receives
7 the information shall create a redacted collision [~~accident~~] report
8 that may be requested by any person. The redacted collision
9 [~~accident~~] report may not include the items of information
10 described by Subsection (f)(2). A report released under this
11 subsection is not considered personal information under Section
12 [730.003](#).

13 (d) The fee for a copy of the collision [~~accident~~] report is
14 \$6. The copy may be certified by the department or the
15 governmental entity for an additional fee of \$2. The department or
16 the governmental entity may issue a certification that no report or
17 information is on file for a fee of \$6.

18 (e) In addition to the information required to be released
19 under Subsection (c), the department may release:

20 (1) collision [~~accident~~] report information compiled
21 under Section [201.806](#); or

22 (2) a vehicle identification number and specific
23 collision [~~accident~~] information relating to that vehicle.

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

26 (1) may not release personal information, as defined
27 by Section [730.003](#); and

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

2 (A) the first, middle, and last name of any
3 person listed in a collision [~~an accident~~] report, including a
4 vehicle driver, occupant, owner, or lessee, a bicyclist, a
5 pedestrian, or a property owner;

6 (B) the number of any driver's license,
7 commercial driver's license, or personal identification
8 certificate issued to any person listed in a collision [~~an~~
9 ~~accident~~] report;

10 (C) the date of birth, other than the year, of any
11 person listed in a collision [~~an accident~~] report;

12 (D) the address, other than zip code, and
13 telephone number of any person listed in a collision [~~an accident~~]
14 report;

15 (E) the license plate number of any vehicle
16 listed in a collision [~~an accident~~] report;

17 (F) the name of any insurance company listed as a
18 provider of financial responsibility for a vehicle listed in a
19 collision [~~an accident~~] report;

20 (G) the number of any insurance policy issued by
21 an insurance company listed as a provider of financial
22 responsibility;

23 (H) the date the peace officer who investigated
24 the collision [~~accident~~] was notified of the collision [~~accident~~];

25 (I) the date the investigating peace officer
26 arrived at the collision [~~accident~~] site;

27 (J) the badge number or identification number of

1 the investigating officer;

2 (K) the date on which any person who died as a
3 result of the collision [~~accident~~] died;

4 (L) the date of any commercial motor vehicle
5 report; and

6 (M) the place where any person injured or killed
7 in a collision [~~an accident~~] was taken and the person or entity that
8 provided the transportation.

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

13 SECTION 58. Section 550.066, Transportation Code, is
14 amended to read as follows:

15 Sec. 550.066. ADMISSIBILITY OF CERTAIN COLLISION
16 [~~ACCIDENT~~] REPORT INFORMATION. An individual's response to the
17 information requested on a collision [~~an accident~~] report form as
18 provided by Section 550.064(b)(4) is not admissible evidence in a
19 civil trial.

20 SECTION 59. Section 550.067, Transportation Code, is
21 amended to read as follows:

22 Sec. 550.067. MUNICIPAL AUTHORITY TO REQUIRE COLLISION
23 [~~ACCIDENT~~] REPORTS. (a) A municipality by ordinance may require
24 the operator of a vehicle involved in a collision [~~an accident~~] to
25 file with a designated municipal department:

26 (1) a report of the collision [~~accident~~], if the
27 collision [~~accident~~] results in injury to or the death of a person

1 or the apparent total property damage is \$25 or more; or

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

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

7 (c) A municipality by ordinance may require the person in
8 charge of a garage or repair shop where a motor vehicle is brought
9 if the vehicle shows evidence of having been involved in a collision
10 [~~an accident~~] described by Section 550.062(a) or shows evidence of
11 having been struck by a bullet to report to a department of the
12 municipality within 24 hours after the garage or repair shop
13 receives the motor vehicle, giving the engine number, registration
14 number, and the name and address of the owner or operator of the
15 vehicle.

16 SECTION 60. Section 550.068, Transportation Code, is
17 amended to read as follows:

18 Sec. 550.068. CHANGING COLLISION [~~ACCIDENT~~] REPORT.

19 (a) Except as provided by Subsection (b), a change in or a
20 modification of a written report of a motor vehicle collision
21 [~~accident~~] prepared by a peace officer that alters a material fact
22 in the report may be made only by the peace officer who prepared the
23 report.

24 (b) A change in or a modification of the written report of
25 the collision [~~accident~~] may be made by a person other than the
26 peace officer if:

27 (1) the change is made by a written supplement to the

1 report; and

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

4 SECTION 61. Sections 550.081(b) and (c), Transportation
5 Code, are amended to read as follows:

6 (b) A medical examiner or justice of the peace acting as
7 coroner in a county that does not have a medical examiner's office
8 or that is not part of a medical examiner's district shall submit a
9 report in writing to the department of the death of a person that
10 was the result of a traffic collision [~~accident~~] or bridge
11 collapse:

12 (1) to which this chapter applies; and

13 (2) that occurred within the jurisdiction of the
14 medical examiner or justice of the peace in the preceding calendar
15 quarter.

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

18 (1) the name of the deceased and a statement as to
19 whether the deceased was:

20 (A) the operator of or a passenger in a vehicle
21 [~~involved in the accident~~]; or

22 (B) a pedestrian or other nonoccupant of a
23 vehicle;

24 (2) the date of the collision [~~accident~~] and the name
25 of the county in which the collision [~~accident~~] occurred, and, if a
26 bridge collapse, the location of the bridge in that county;

27 (3) the name of any laboratory, medical examiner's

1 office, or other facility that conducted toxicological testing
2 relative to the deceased; and

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

5 SECTION 62. Section 601.002(3), Transportation Code, is
6 amended to read as follows:

7 (3) "Financial responsibility" means the ability to
8 respond in damages for liability for a collision [~~an accident~~]
9 that:

10 (A) occurs after the effective date of the
11 document evidencing the establishment of the financial
12 responsibility; and

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

15 SECTION 63. Section 601.003(b), Transportation Code, is
16 amended to read as follows:

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

20 (1) the total amount credited on one or more judgments
21 for bodily injury to or death of one person resulting from one
22 collision [~~accident~~] equals or exceeds the amount required under
23 Section 601.072(a-1)(1) [~~601.072(a)(1)~~] to establish financial
24 responsibility;

25 (2) the total amount credited on one or more judgments
26 for bodily injury to or death of two or more persons resulting from
27 one collision [~~accident~~] equals or exceeds the amount required

1 under Section 601.072(a-1)(2) [~~601.072(a)(2)~~] to establish
2 financial responsibility; or

3 (3) the total amount credited on one or more judgments
4 for damage to or destruction of property of another resulting from
5 one collision [~~accident~~] equals or exceeds the amount required
6 under Section 601.072(a-1)(3) [~~601.072(a)(3)~~] to establish
7 financial responsibility.

8 SECTION 64. Section 601.006, Transportation Code, is
9 amended to read as follows:

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

18 SECTION 65. Sections 601.009(b) and (c), Transportation
19 Code, are amended to read as follows:

20 (b) Except as provided by Subsection (c), the department
21 shall suspend the resident's driver's license and vehicle
22 registrations if the evidence shows that the resident's operating
23 privilege was suspended in the other state or the province for
24 violation of a financial responsibility law under circumstances
25 that would require the department to suspend a nonresident's
26 operating privilege had the collision [~~accident~~] occurred in this
27 state.

1 (c) The department may not suspend the resident's driver's
2 license and registration if the alleged failure to comply is based
3 on the failure of the resident's insurance company or surety
4 company to:

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

7 (2) execute a power of attorney directing the
8 appropriate official in the other state or the province to accept on
9 the company's behalf service of notice or process in an action under
10 the policy arising out of a collision [~~an accident~~].

11 SECTION 66. Section 601.053(a), Transportation Code, is
12 amended to read as follows:

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

19 (1) a motor vehicle liability insurance policy
20 covering the vehicle that satisfies Subchapter D or a photocopy of
21 the policy;

22 (2) a standard proof of motor vehicle liability
23 insurance form prescribed by the Texas Department of Insurance
24 under Section 601.081 and issued by a liability insurer for the
25 motor vehicle;

26 (2-a) an image displayed on a wireless communication
27 device that includes the information required by Section 601.081 as

1 provided by a liability insurer;

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

4 (4) a surety bond certificate issued under Section
5 601.121;

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

8 (6) a copy of a certificate of a deposit with the
9 appropriate county judge covering the vehicle issued under Section
10 601.123; or

11 (7) a certificate of self-insurance covering the
12 vehicle issued under Section 601.124 or a photocopy of the
13 certificate.

14 SECTION 67. Section 601.056(e), Transportation Code, is
15 amended to read as follows:

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

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

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

22 (3) the person for whom the bond has been filed or for
23 whom money or securities have been deposited has, within the two
24 years preceding the request for cancellation or return of the
25 evidence of financial responsibility, been involved as an operator
26 or owner in a motor vehicle collision [~~accident~~] resulting in
27 bodily injury to, or property damage to the property of, another

1 person.

2 SECTION 68. Sections 601.072(a-1) and (b), Transportation
3 Code, are amended to read as follows:

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

7 (1) \$30,000 for bodily injury to or death of one person
8 in one collision [~~accident~~];

9 (2) \$60,000 for bodily injury to or death of two or
10 more persons in one collision [~~accident~~], subject to the amount
11 provided by Subdivision (1) for bodily injury to or death of one of
12 the persons; and

13 (3) \$25,000 for damage to or destruction of property
14 of others in one collision [~~accident~~].

15 (b) The coverage required under this section may exclude,
16 with respect to one collision [~~accident~~]:

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

19 (2) the first \$500 of liability for bodily injury to or
20 death of two or more persons, subject to the amount provided by
21 Subdivision (1) for bodily injury to or death of one of the persons;
22 and

23 (3) the first \$250 of liability for property damage to
24 or destruction of property of others.

25 SECTION 69. Section 601.084(c), Transportation Code, is
26 amended to read as follows:

27 (c) The department shall accept the certificate of an

1 insurer not authorized to transact business in this state if the
2 certificate otherwise complies with this chapter and the insurance
3 company:

4 (1) executes a power of attorney authorizing the
5 department to accept on its behalf service of notice or process in
6 an action arising out of a motor vehicle collision [~~accident~~] in
7 this state; and

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

11 SECTION 70. Section 601.086, Transportation Code, is
12 amended to read as follows:

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

19 SECTION 71. Section 601.124(c), Transportation Code, is
20 amended to read as follows:

21 (c) The self-insurer must supplement the certificate with
22 an agreement that, for collisions [~~accidents~~] occurring while the
23 certificate is in force, the self-insurer will pay the same
24 judgments in the same amounts as an insurer would be obligated to
25 pay under an owner's motor vehicle liability insurance policy
26 issued to the self-insurer if such policy were issued.

27 SECTION 72. The heading to Subchapter F, Chapter 601,

1 Transportation Code, is amended to read as follows:

2 SUBCHAPTER F. SECURITY FOLLOWING COLLISION [~~ACCIDENT~~]

3 SECTION 73. Section 601.151, Transportation Code, is
4 amended to read as follows:

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

9 (b) This subchapter does not apply to:

10 (1) an owner or operator who has in effect at the time
11 of the collision [~~accident~~] a motor vehicle liability insurance
12 policy that covers the motor vehicle involved in the collision
13 [~~accident~~];

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

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

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

25 (5) the owner or operator of a motor vehicle that at
26 the time of the collision [~~accident~~] was legally parked or legally
27 stopped at a traffic signal;

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

5 (7) a person qualifying as a self-insurer under
6 Section 601.124 or a person operating a motor vehicle for a
7 self-insurer.

8 SECTION 74. Section 601.152(a), Transportation Code, is
9 amended to read as follows:

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

13 (1) the vehicle is involved in any manner in a
14 collision [~~an accident~~]; and

15 (2) the department finds that there is a reasonable
16 probability that a judgment will be rendered against the person as a
17 result of the collision [~~accident~~].

18 SECTION 75. Sections 601.154(a), (c), and (d),
19 Transportation Code, are amended to read as follows:

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

27 (c) In determining whether there is a reasonable

1 probability that a judgment will be rendered against the person as a
2 result of a collision [~~an accident~~] and the amount of security that
3 is sufficient under Subsection (a), the department may consider:

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

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

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

18 SECTION 76. Section 601.155(b), Transportation Code, is
19 amended to read as follows:

20 (b) The notice must state that:

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

26 (A) this subchapter does not apply to the person,
27 and the person has previously provided this information to the

1 department; or

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

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

9 SECTION 77. Section 601.157(b), Transportation Code, is
10 amended to read as follows:

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

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

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

19 SECTION 78. Section 601.158(a), Transportation Code, is
20 amended to read as follows:

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

26 SECTION 79. Section 601.162(a), Transportation Code, is
27 amended to read as follows:

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

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

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

15 (3) the date evidence satisfactory to the department
16 is filed with the department of:

17 (A) a release from liability for claims arising
18 out of the collision [~~accident~~];

19 (B) a final adjudication that the person is not
20 liable for claims arising out of the collision [~~accident~~]; or

21 (C) an installment agreement described by
22 Section 601.154(d)(3).

23 SECTION 80. Section 601.163(b), Transportation Code, is
24 amended to read as follows:

25 (b) A person depositing security shall specify in writing
26 the person on whose behalf the deposit is made. A single deposit of
27 security is applicable only on behalf of persons required to

1 provide security because of the same collision [~~accident~~] and the
2 same motor vehicle.

3 SECTION 81. Section 601.164(a), Transportation Code, is
4 amended to read as follows:

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

9 SECTION 82. Section 601.166, Transportation Code, is
10 amended to read as follows:

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

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

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

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

21 (1) the date of the collision [~~accident~~]; or

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

24 SECTION 83. Section 601.167, Transportation Code, is
25 amended to read as follows:

26 Sec. 601.167. RETURN OF CASH SECURITY. Cash security or any
27 balance of the security shall be returned to the depositor or the

1 depositor's personal representative when:

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

4 (A) a release of liability;

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

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

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

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

18 SECTION 84. Section [601.168\(b\)](#), Transportation Code, is
19 amended to read as follows:

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

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

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

27 (B) was not registered in this state on the

1 effective date of the most recent renewal of the policy; and

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

6 SECTION 85. Section 601.169, Transportation Code, is
7 amended to read as follows:

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

14 SECTION 86. Section 601.291, Transportation Code, is
15 amended to read as follows:

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

18 (1) is not registered in this state; and

19 (2) is involved in a motor vehicle collision
20 [~~accident~~] in this state that results in bodily injury, death, or
21 damage to the property of one person to an apparent extent of at
22 least \$500.

23 SECTION 87. 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 collision [~~accident~~].

4 SECTION 88. 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 collision [~~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 collision
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 collision
20 [~~accident~~].

21 SECTION 89. Section 601.294, Transportation Code, is
22 amended to read as follows:

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

1 person that was involved in the collision [~~accident~~].

2 SECTION 90. Section 601.296(a), Transportation Code, is
3 amended to read as follows:

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

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

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

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

17 SECTION 91. Section 601.333, Transportation Code, is
18 amended to read as follows:

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

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

1 (2) an affidavit stating that the person was insured
2 at the time of the collision [~~accident~~], that the insurance company
3 is liable to pay the judgment, and the reason, if known, that the
4 insurance company has not paid the judgment;

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

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

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

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

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

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

23 SECTION 92. Section [622.954](#)(a), Transportation Code, is
24 amended to read as follows:

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

1 (1) the nature of the service provided by the tow truck
2 is needed to remove disabled, abandoned, or collision-damaged
3 [~~accident-damaged~~] vehicles; and

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

7 SECTION 93. Section 623.0172(1), Transportation Code, is
8 amended to read as follows:

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

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

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

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

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

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

27 (6) impacts to state and local roads, including

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

5 SECTION 94. Section 623.410, Transportation Code, is
6 amended to read as follows:

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

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

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

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

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

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 Section 623.405(b); 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 subchapter.

4 SECTION 95. Section 643.105, Transportation Code, is
5 amended to read as follows:

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

12 (1) evidence of insurance as required by Section
13 643.103; and

14 (2) an affidavit that:

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

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

22 SECTION 96. Section 644.151(b-1), Transportation Code, is
23 amended to read as follows:

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

26 (1) a state jail felony if it is shown on the trial of
27 the offense that at the time of the offense the commercial motor

1 vehicle was involved in a motor vehicle collision [~~accident~~] that
2 resulted in bodily injury; or

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

7 SECTION 97. Sections 661.003(c) and (i), Transportation
8 Code, are amended to read as follows:

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

23 (i) In this section, "health insurance plan" means an
24 individual, group, blanket, or franchise insurance policy,
25 insurance agreement, evidence of coverage, group hospital services
26 contract, health maintenance organization membership, or employee
27 benefit plan that provides benefits for health care services or for

1 medical or surgical expenses incurred as a result of a collision [~~an~~
2 ~~accident~~].

3 SECTION 98. Section 686.001(1), Transportation Code, is
4 amended to read as follows:

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

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

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

13 SECTION 99. Section 686.004(a), Transportation Code, is
14 amended to read as follows:

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

18 (1) \$100,000 for bodily injury to or death of one
19 person in one collision [~~accident~~];

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

24 (3) \$50,000 for damage to or destruction of property
25 of others in one collision [~~accident~~].

26 SECTION 100. Section 686.005, Transportation Code, is
27 amended to read as follows:

1 Sec. 686.005. COMMON LAW DEFENSES. In an action against an
2 owner or operator of a valet parking service that has not
3 established financial responsibility as required by this chapter to
4 recover damages for personal injuries, death, or property damage
5 sustained in a motor vehicle collision [~~accident~~] arising out of
6 the operation of a valet parking service, it is not a defense that
7 the party who brings the action:

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

11 SECTION 101. Section 709.002(e), Transportation Code, is
12 amended to read as follows:

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

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

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

25 SECTION 102. Section 723.011(a), Transportation Code, is
26 amended to read as follows:

27 (a) The governor shall:

1 (1) prepare and administer a statewide traffic safety
2 program designed to reduce traffic collisions [~~accidents~~] and the
3 death, injury, and property damage that result from traffic
4 collisions [~~accidents~~];

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

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

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

13 SECTION 103. Section 723.012, Transportation Code, is
14 amended to read as follows:

15 Sec. 723.012. TRAFFIC SAFETY PROGRAM. The statewide
16 traffic safety program must include:

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

20 (2) plans for improving:

21 (A) driver licensing;

22 (B) collision [~~accident~~] records;

23 (C) vehicle inspection, registration, and
24 titling;

25 (D) traffic engineering;

26 (E) personnel;

27 (F) police traffic supervision;

- (G) traffic courts;
- (H) highway design; and
- (I) uniform traffic laws; and

(3) plans for local traffic safety programs by legal and political subdivisions of this state that may be implemented if the programs:

- (A) are approved by the governor; and
- (B) conform with uniform standards adopted under the Highway Safety Act of 1966 (23 U.S.C. Sec. 401 et seq.).

SECTION 104. Section 723.013(a), Transportation Code, is amended to read as follows:

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

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

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

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

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

1 SECTION 105. Sections 724.012(a-1) and (b), Transportation
2 Code, are amended to read as follows:

3 (a-1) A peace officer shall require the taking of a specimen
4 of the person's blood if:

5 (1) the officer arrests the person for an offense
6 under Chapter 49, Penal Code, involving the operation of a motor
7 vehicle or a watercraft;

8 (2) the person refuses the officer's request to submit
9 to the taking of a specimen voluntarily;

10 (3) the person was the operator of a motor vehicle or a
11 watercraft involved in a collision [~~an accident~~] that the officer
12 reasonably believes occurred as a result of the offense; and

13 (4) at the time of the arrest, the officer reasonably
14 believes that as a direct result of the collision [~~accident~~] any
15 individual has died, will die, or has suffered serious bodily
16 injury.

17 (b) Subject to Subsection (a-1), a peace officer shall
18 require the taking of a specimen of the person's breath or blood
19 under any of the following circumstances if the officer arrests the
20 person for an offense under Chapter 49, Penal Code, involving the
21 operation of a motor vehicle or a watercraft and the person refuses
22 the officer's request to submit to the taking of a specimen
23 voluntarily:

24 (1) the person was the operator of a motor vehicle or a
25 watercraft involved in a collision [~~an accident~~] that the officer
26 reasonably believes occurred as a result of the offense and, at the
27 time of the arrest, the officer reasonably believes that as a direct

1 result of the collision [~~accident~~] an individual other than the
2 person has suffered bodily injury and been transported to a
3 hospital or other medical facility for medical treatment;

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

6 (3) at the time of the arrest, the officer possesses or
7 receives reliable information from a credible source that the
8 person:

9 (A) has been previously convicted of or placed on
10 community supervision for an offense under Section 49.045, 49.07,
11 or 49.08, Penal Code, or an offense under the laws of another state
12 containing elements substantially similar to the elements of an
13 offense under those sections; or

14 (B) on two or more occasions, has been previously
15 convicted of or placed on community supervision for an offense
16 under Section 49.04, 49.05, 49.06, or 49.065, Penal Code, or an
17 offense under the laws of another state containing elements
18 substantially similar to the elements of an offense under those
19 sections.

20 SECTION 106. Section 726.002, Transportation Code, is
21 amended to read as follows:

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

24 (1) requiring each resident of the municipality,
25 including a corporation having its principal office or place of
26 business in the municipality, who owns a motor vehicle used for the
27 transportation of persons or property and each person operating a

1 motor vehicle on the public thoroughfares of the municipality to
2 have each motor vehicle owned or operated, as appropriate, tested
3 and inspected not more than four times in each calendar year;

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

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

10 SECTION 107. Sections 730.003(4) and (6), Transportation
11 Code, are amended to read as follows:

12 (4) "Motor vehicle record" means a record that
13 pertains to a motor vehicle operator's or driver's license or
14 permit, motor vehicle registration, motor vehicle title, or
15 identification document issued by an agency of this state or a local
16 agency authorized to issue an identification document. The term
17 does not include:

18 (A) a record that pertains to a motor carrier; or

19 (B) a collision [~~an accident~~] report prepared
20 under:

21 (i) Chapter 550; or

22 (ii) former Section 601.004 before
23 September 1, 2017.

24 (6) "Personal information" means information that
25 identifies a person, including an individual's photograph or
26 computerized image, social security number, date of birth, driver
27 identification number, name, address, but not the zip code, e-mail

1 address, telephone number, and medical or disability information.

2 The term does not include:

3 (A) information on vehicle collisions
4 [~~accidents~~], driving or equipment-related violations, or driver's
5 license or registration status; or

6 (B) information contained in a collision [~~an~~
7 ~~accident~~] report prepared under:

8 (i) Chapter 550; or

9 (ii) former Section 601.004 before
10 September 1, 2017.

11 SECTION 108. Section 1006.153(e), Transportation Code, is
12 amended to read as follows:

13 (e) Out of each fee collected under Subsection (b) or an
14 amount collected under Subsection (b-1):

15 (1) 20 percent shall be appropriated to the authority
16 for the purposes of this chapter;

17 (2) 20 percent shall be deposited to the credit of the
18 general revenue fund, to be used only for criminal justice
19 purposes; and

20 (3) 60 percent shall be deposited to the credit of the
21 designated trauma facility and emergency medical services account
22 under Section 780.003, Health and Safety Code, to be used only for
23 the criminal justice purpose of funding designated trauma
24 facilities, county and regional emergency medical services, and
25 trauma care systems that provide trauma care and emergency medical
26 services to victims of collisions [~~accidents~~] resulting from
27 traffic offenses.

1 SECTION 109. The heading to Chapter 504, Business &
2 Commerce Code, is amended to read as follows:

3 CHAPTER 504. PROHIBITED USE OF CRIME VICTIM OR MOTOR VEHICLE
4 COLLISION [~~ACCIDENT~~] INFORMATION

5 SECTION 110. Section 504.001(2), Business & Commerce Code,
6 is amended to read as follows:

7 (2) "Motor vehicle collision [~~accident~~] information"
8 means information that:

9 (A) is collected or prepared by a law enforcement
10 agency; and

11 (B) identifies or serves to identify a person
12 who, according to a record of the agency, may have been involved in
13 a motor vehicle collision [~~accident~~].

14 SECTION 111. Section 504.002(a), Business & Commerce Code,
15 is amended to read as follows:

16 (a) A person who possesses crime victim or motor vehicle
17 collision [~~accident~~] information that the person obtained or knows
18 was obtained from a law enforcement agency may not:

19 (1) use the information to contact directly any of the
20 following persons for the purpose of soliciting business from the
21 person:

22 (A) a crime victim;

23 (B) a person who was involved in a motor vehicle
24 collision [~~accident~~]; or

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

27 (2) sell the information to another person for

1 financial gain.

2 SECTION 112. Section 17.062(a), Civil Practice and Remedies
3 Code, is amended to read as follows:

4 (a) The chairman of the Texas Transportation Commission is
5 an agent for service of process on a person who is a nonresident or
6 an agent of a nonresident in any suit against the person or agent
7 that grows out of a collision [~~or accident~~] in which the person or
8 the person's [~~his~~] agent is involved while operating a motor
9 vehicle in this state.

10 SECTION 113. Section 30.006(e), Civil Practice and Remedies
11 Code, is amended to read as follows:

12 (e) This section does not apply to:

13 (1) a report of a collision [~~an accident~~] under
14 Chapter 550, Transportation Code; and

15 (2) photographs, field measurements, scene drawings,
16 and collision [~~accident~~] reconstruction done in conjunction with
17 the investigation of the underlying collision [~~accident~~].

18 SECTION 114. Section 72.001, Civil Practice and Remedies
19 Code, is amended to read as follows:

20 Sec. 72.001. LIMITED LIABILITY. A person who is related to
21 the owner or operator of a motor vehicle within the second degree by
22 consanguinity or affinity, as determined under Chapter 573,
23 Government Code, and who is being transported in the motor vehicle
24 over a public highway of this state as a guest without payment for
25 the transportation has a cause of action against the owner or
26 operator of the motor vehicle for injury, death, or loss in a
27 collision [~~an accident~~] only if the collision [~~accident~~] was

1 intentional on the part of the owner or operator or was caused by
2 the owner's or operator's [~~his~~] heedlessness or reckless disregard
3 of the rights of others.

4 SECTION 115. Section 72.051, Civil Practice and Remedies
5 Code, is amended by amending Subdivisions (2) and (4) and adding
6 Subdivision (3-a) to read as follows:

7 (2) "Civil action" means an action in which:

8 (A) a claimant seeks recovery of damages for
9 bodily injury or death caused in a collision [~~an accident~~]; and

10 (B) a defendant:

11 (i) operated a commercial motor vehicle
12 involved in the collision [~~accident~~]; or

13 (ii) owned, leased, or otherwise held or
14 exercised legal control over a commercial motor vehicle or operator
15 of a commercial motor vehicle involved in the collision [~~accident~~].

16 (3-a) "Collision" means an event in which operating a
17 commercial motor vehicle causes bodily injury or death.

18 (4) "Commercial motor vehicle" means a motor vehicle
19 being used for commercial purposes in interstate or intrastate
20 commerce to transport property or passengers, deliver or transport
21 goods, or provide services. The term does not include a motor
22 vehicle being used at the time of the collision [~~accident~~] for
23 personal, family, or household purposes.

24 SECTION 116. The heading to Section 72.052, Civil Practice
25 and Remedies Code, is amended to read as follows:

26 Sec. 72.052. BIFURCATED TRIAL IN CERTAIN COMMERCIAL MOTOR
27 VEHICLE COLLISION [~~ACCIDENT~~] ACTIONS.

1 SECTION 117. Sections 72.054(a), (c), (d), and (f), Civil
2 Practice and Remedies Code, are amended to read as follows:

3 (a) Except as provided by Subsection (d), in a civil action
4 under this subchapter, an employer defendant's liability for
5 damages caused by the ordinary negligence of a person operating the
6 defendant's commercial motor vehicle shall be based only on
7 respondeat superior if the defendant stipulates, within the time
8 provided by Section 72.052 for filing a motion to bifurcate, that,
9 at the time of the collision [~~accident~~], the person operating the
10 vehicle was:

11 (1) the defendant's employee; and

12 (2) acting within the scope of employment.

13 (c) In a civil action under this subchapter in which an
14 employer defendant is regulated by the Motor Carrier Safety
15 Improvement Act of 1999 (Pub. L. No. 106-159) or Chapter 644,
16 Transportation Code, a party may present any of the following
17 evidence in the first phase of a trial that is bifurcated under
18 Section 72.052 if applicable to a defendant in the action:

19 (1) whether the employee who was operating the
20 employer defendant's commercial motor vehicle at the time of the
21 collision [~~accident~~] that is the subject of the civil action:

22 (A) was licensed to drive the vehicle at the time
23 of the collision [~~accident~~];

24 (B) was disqualified from driving the vehicle
25 under 49 C.F.R. Section 383.51, 383.52, or 391.15 at the time of the
26 collision [~~accident~~];

27 (C) was subject to an out-of-service order, as

1 defined by 49 C.F.R. Section 390.5, at the time of the collision
2 [~~accident~~];

3 (D) was driving the vehicle in violation of a
4 license restriction imposed under 49 C.F.R. Section 383.95 or
5 Section 522.043, Transportation Code, at the time of the collision
6 [~~accident~~];

7 (E) had received a certificate of driver's road
8 test from the employer defendant as required by 49 C.F.R. Section
9 391.31 or had an equivalent certificate or license as provided by 49
10 C.F.R. Section 391.33;

11 (F) had been medically certified as physically
12 qualified to operate the vehicle under 49 C.F.R. Section 391.41;

13 (G) was operating the vehicle when prohibited
14 from doing so under 49 C.F.R. Section 382.201, 382.205, 382.207,
15 382.215, 395.3, or 395.5 or 37 T.A.C. Section 4.12, as applicable,
16 on the day of the collision [~~accident~~];

17 (H) was texting or using a handheld mobile
18 telephone while driving the vehicle in violation of 49 C.F.R.
19 Section 392.80 or 392.82 at the time of the collision [~~accident~~];

20 (I) provided the employer defendant with an
21 application for employment as required by 49 C.F.R. Section
22 391.21(a) if the collision [~~accident~~] occurred on or before the
23 first anniversary of the date the employee began employment with
24 the employer defendant; and

25 (J) refused to submit to a controlled substance
26 test as required by 49 C.F.R. Section 382.303, 382.305, 382.307,
27 382.309, or 382.311 during the two years preceding the date of the

1 collision [~~accident~~]; and

2 (2) whether the employer defendant:

3 (A) allowed the employee to operate the
4 employer's commercial motor vehicle on the day of the collision
5 [~~accident~~] in violation of 49 C.F.R. Section 382.201, 382.205,
6 382.207, 382.215, 382.701(d), 395.3, or 395.5 or 37 T.A.C. Section
7 4.12, as applicable;

8 (B) had complied with 49 C.F.R. Section 382.301
9 in regard to controlled-substance testing of the employee driver
10 if:

11 (i) the employee driver was impaired
12 because of the use of a controlled substance at the time of the
13 collision [~~accident~~]; and

14 (ii) the collision [~~accident~~] occurred on
15 or before the 180th day after the date the employee driver began
16 employment with the employer defendant;

17 (C) had made the investigations and inquiries as
18 provided by 49 C.F.R. Section 391.23(a) in regard to the employee
19 driver if the collision [~~accident~~] occurred on or before the first
20 anniversary of the date the employee driver began employment with
21 the employer defendant; and

22 (D) was subject to an out-of-service order, as
23 defined by 49 C.F.R. Section 390.5, at the time of the collision
24 [~~accident~~].

25 (d) If a civil action is bifurcated under Section [72.052](#),
26 evidence admissible under Subsection (c) is:

27 (1) admissible in the first phase of the trial only to

1 prove ordinary negligent entrustment by the employer defendant to
2 the employee who was driving the employer defendant's commercial
3 motor vehicle at the time of the collision [~~accident~~] that is the
4 subject of the action; and

5 (2) the only evidence that may be presented by the
6 claimant in the first phase of the trial on the negligent
7 entrustment claim.

8 (f) Nothing in this section prevents a claimant from
9 pursuing:

10 (1) an ordinary negligence claim against an employer
11 defendant for a claim, such as negligent maintenance, that does not
12 require a finding of negligence by an employee as a prerequisite to
13 an employer defendant being found negligent for its conduct or
14 omission, or from presenting evidence on that claim in the first
15 phase of a bifurcated trial; or

16 (2) a claim for exemplary damages under Chapter 41 for
17 an employer defendant's conduct or omissions in relation to the
18 collision [~~accident~~] that is the subject of the action, or from
19 presenting evidence on that claim in the second phase of a
20 bifurcated trial.

21 SECTION 118. Section 72.055, Civil Practice and Remedies
22 Code, is amended to read as follows:

23 Sec. 72.055. ADMISSIBILITY OF VISUAL DEPICTIONS OF
24 COLLISION [~~ACCIDENT~~]. (a) In a civil action under this subchapter,
25 a court may not require expert testimony for admission into
26 evidence of a photograph or video of a vehicle or object involved in
27 a collision [~~an accident~~] that is the subject of the action except

1 as necessary to authenticate the photograph or video.

2 (b) If properly authenticated under the Texas Rules of
3 Evidence, a photograph or video of a vehicle or object involved in a
4 collision [~~an accident~~] that is the subject of a civil action under
5 this subchapter is presumed admissible, even if the photograph or
6 video tends to support or refute an assertion regarding the
7 severity of damages or injury to an object or person involved in the
8 collision [~~accident~~].

9 SECTION 119. Article 12.01, Code of Criminal Procedure, is
10 amended to read as follows:

11 Art. 12.01. FELONIES. Except as provided in Article 12.03,
12 felony indictments may be presented within these limits, and not
13 afterward:

14 (1) no limitation:

15 (A) murder and manslaughter;

16 (B) sexual assault under Section 22.011(a)(2),
17 Penal Code, or aggravated sexual assault under Section
18 22.021(a)(1)(B), Penal Code;

19 (C) sexual assault, if:

20 (i) during the investigation of the offense
21 biological matter is collected and the matter:

22 (a) has not yet been subjected to
23 forensic DNA testing; or

24 (b) has been subjected to forensic DNA
25 testing and the testing results show that the matter does not match
26 the victim or any other person whose identity is readily
27 ascertained; or

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

4 (D) continuous sexual abuse of young child or
5 disabled individual under Section 21.02, Penal Code;

6 (E) indecency with a child under Section 21.11,
7 Penal Code;

8 (F) an offense involving leaving the scene of a
9 collision [~~an accident~~] under Section 550.021, Transportation
10 Code, if the collision [~~accident~~] resulted in the death of a person;

11 (G) trafficking of persons under Section
12 20A.02(a)(7) or (8), Penal Code;

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

15 (I) compelling prostitution under Section
16 43.05(a)(2), Penal Code;

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

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

23 (B) theft by a public servant of government
24 property over which the public servant exercises control in the
25 public servant's official capacity;

26 (C) forgery or the uttering, using, or passing of
27 forged instruments;

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

4 (E) sexual assault, except as provided by
5 Subdivision (1) or (7);

6 (F) arson;

7 (G) trafficking of persons under Section
8 20A.02(a)(1), (2), (3), or (4), Penal Code; or

9 (H) compelling prostitution under Section
10 43.05(a)(1), Penal Code;

11 (3) seven years from the date of the commission of the
12 offense:

13 (A) misapplication of fiduciary property or
14 property of a financial institution;

15 (B) fraudulent securing of document execution;

16 (C) a felony violation under Chapter 162, Tax
17 Code;

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

20 (E) money laundering;

21 (F) credit card or debit card abuse under Section
22 32.31, Penal Code;

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

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

27 (I) health care fraud under Section 35A.02, Penal

1 Code; or

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

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

6 (A) theft or robbery;

7 (B) except as provided by Subdivision (5),
8 kidnapping or burglary;

9 (C) injury to an elderly or disabled individual
10 that is not punishable as a felony of the first degree under Section
11 22.04, Penal Code;

12 (D) abandoning or endangering a child; or

13 (E) insurance fraud;

14 (5) if the investigation of the offense shows that the
15 victim is younger than 17 years of age at the time the offense is
16 committed, 20 years from the 18th birthday of the victim of one of
17 the following offenses:

18 (A) sexual performance by a child under Section
19 43.25, Penal Code;

20 (B) aggravated kidnapping under Section
21 20.04(a)(4), Penal Code, if the defendant committed the offense
22 with the intent to violate or abuse the victim sexually; or

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

1 (6) ten years from the 18th birthday of the victim of
2 the offense:

3 (A) trafficking of persons under Section
4 20A.02(a)(5) or (6), Penal Code;

5 (B) injury to a child under Section 22.04, Penal
6 Code; or

7 (C) bigamy under Section 25.01, Penal Code, if
8 the investigation of the offense shows that the person, other than
9 the legal spouse of the defendant, whom the defendant marries or
10 purports to marry or with whom the defendant lives under the
11 appearance of being married is younger than 18 years of age at the
12 time the offense is committed;

13 (7) two years from the date the offense was
14 discovered: sexual assault punishable as a state jail felony under
15 Section 22.011(f)(2), Penal Code; or

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

18 SECTION 120. The heading to Article 42A.516, Code of
19 Criminal Procedure, is amended to read as follows:

20 Art. 42A.516. COMMUNITY SUPERVISION FOR LEAVING SCENE OF
21 MOTOR VEHICLE COLLISION [~~ACCIDENT~~] RESULTING IN DEATH OF PERSON.

22 SECTION 121. Article 49.10(j), Code of Criminal Procedure,
23 is amended to read as follows:

24 (j) A justice of the peace may order a physician, qualified
25 technician, paramedic, chemist, registered professional nurse, or
26 licensed vocational nurse to take a specimen of blood from the body
27 of a person who died as the result of a motor vehicle collision

1 ~~[accident]~~ if the justice determines that circumstances indicate
2 that the person may have been driving while intoxicated.

3 SECTION 122. Article 59.01(3), Code of Criminal Procedure,
4 is amended to read as follows:

5 (3) "Crime of violence" means:

6 (A) any criminal offense defined in the Penal
7 Code or in a federal criminal law that results in a personal injury
8 to a victim; or

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

14 SECTION 123. The heading to Section 34.015, Education Code,
15 is amended to read as follows:

16 Sec. 34.015. REPORTING OF BUS COLLISIONS ~~[ACCIDENTS]~~.

17 SECTION 124. Section 34.015(b), Education Code, is amended
18 to read as follows:

19 (b) A school district shall report annually to the Texas
20 Education Agency the number of collisions ~~[accidents]~~ in which the
21 district's buses are involved. The agency by rule shall determine
22 the information to be reported, including:

23 (1) the type of bus involved in the collision
24 ~~[accident]~~;

25 (2) whether the bus was equipped with seat belts;

26 (3) the number of students and adults involved in the
27 collision ~~[accident]~~;

1 (4) the number and types of injuries sustained by bus
2 passengers in the collision [~~accident~~]; and

3 (5) whether the injured passengers were wearing seat
4 belts at the time of the collision [~~accident~~].

5 SECTION 125. Section 54.352(g), Education Code, is amended
6 to read as follows:

7 (g) For the purpose of this section, an injury is suffered
8 during the performance of a duty as a peace officer if the injury
9 occurs as a result of the peace officer's performance of any of the
10 following law enforcement duties:

11 (1) traffic enforcement or traffic control duties,
12 including enforcement of traffic laws, investigation of vehicle
13 collisions [~~accidents~~], or directing traffic;

14 (2) pursuit, arrest, or search of a person reasonably
15 believed to have violated a law;

16 (3) investigation, including undercover
17 investigation, of a criminal act;

18 (4) patrol duties, including automobile, bicycle,
19 foot, air, or horse patrol;

20 (5) duties related to the transfer of prisoners; or

21 (6) training duties, including participation in any
22 training required by the officer's employer or supervisor or by the
23 Texas Commission on Law Enforcement.

24 SECTION 126. Section 1001.1015(b), Education Code, is
25 amended to read as follows:

26 (b) A driver education course under Subsection (a) must:

27 (1) provide at least the minimum number of hours of

1 classroom instruction required by commission rule; and

2 (2) include instruction in:

3 (A) alcohol and drug awareness;

4 (B) the traffic laws of this state;

5 (C) highway signs, signals, and markings that
6 regulate, warn, or direct traffic; and

7 (D) the issues commonly associated with motor
8 vehicle collisions [~~accidents~~], including poor decision-making,
9 risk taking, impaired driving, distraction, speed, failure to use a
10 safety belt, driving at night, failure to yield the right-of-way,
11 and using a wireless communication device while operating a
12 vehicle.

13 SECTION 127. Section [1001.112\(b\)](#), Education Code, is
14 amended to read as follows:

15 (b) A person is eligible to conduct a driver education
16 course for another person as provided by Subsection (a) if the
17 person:

18 (1) is either:

19 (A) a parent, stepparent, foster parent, legal
20 guardian, grandparent, or step-grandparent of the other person; or

21 (B) an individual who:

22 (i) has been designated on a form
23 prescribed by the department for purposes of this section by a
24 parent or legal guardian of the other person or by a judge of a court
25 with jurisdiction over the other person;

26 (ii) is at least 25 years of age;

27 (iii) does not charge a fee for conducting

1 the course; and

2 (iv) has at least seven years of driving
3 experience;

4 (2) has possessed a valid license for the preceding
5 three years that has not been suspended, revoked, or forfeited in
6 the past three years for an offense that involves the operation of a
7 motor vehicle;

8 (3) has not been convicted of:

9 (A) criminally negligent homicide; or

10 (B) driving while intoxicated in the past seven
11 years; and

12 (4) has not been convicted during the preceding three
13 years of:

14 (A) three or more moving violations described by
15 Section 542.304, Transportation Code, including violations that
16 resulted in a collision [~~an accident~~]; or

17 (B) two or more moving violations described by
18 Section 542.304, Transportation Code, that resulted in a collision
19 [~~an accident~~].

20 SECTION 128. Section 203.007(b), Family Code, is amended to
21 read as follows:

22 (b) A domestic relations office is entitled to obtain from
23 the Department of Public Safety records that relate to:

24 (1) a person's date of birth;

25 (2) a person's most recent address;

26 (3) a person's current driver's license status;

27 (4) motor vehicle collisions [~~accidents~~] involving a

1 person;

2 (5) reported traffic-law violations of which a person
3 has been convicted; and

4 (6) a person's criminal history record information.

5 SECTION 129. Section 264.513(c), Family Code, is amended to
6 read as follows:

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

12 SECTION 130. Section 411.019(a), Government Code, is
13 amended to read as follows:

14 (a) The department shall provide a 24-hour toll-free
15 telephone number for use by the public in reporting traffic
16 offenses, including driving while intoxicated, suspected criminal
17 activity, and traffic collisions [~~accidents~~] and other
18 emergencies.

19 SECTION 131. Section 411.0726(e), Government Code, is
20 amended to read as follows:

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

1 nondisclosure.

2 SECTION 132. Section 411.0731(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 collision
9 [~~accident~~] involving another person, including a passenger in a
10 motor vehicle operated by the person seeking the order of
11 nondisclosure.

12 SECTION 133. Section 411.0736(e), Government Code, is
13 amended to read as follows:

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

22 SECTION 134. Section 423.002(a), Government Code, is
23 amended to read as follows:

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

26 (1) for the purpose of professional or scholarly
27 research and development or for another academic purpose by a

1 person acting on behalf of an institution of higher education or a
2 private or independent institution of higher education, as those
3 terms are defined by Section 61.003, Education Code, including a
4 person who:

5 (A) is a professor, employee, or student of the
6 institution; or

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

9 (2) in airspace designated as a test site or range
10 authorized by the Federal Aviation Administration for the purpose
11 of integrating unmanned aircraft systems into the national
12 airspace;

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

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

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

19 (A) for operations and maintenance of utility or
20 telecommunications facilities for the purpose of maintaining
21 utility or telecommunications system reliability and integrity;

22 (B) for inspecting utility or telecommunications
23 facilities to determine repair, maintenance, or replacement needs
24 during and after construction of such facilities;

25 (C) for assessing vegetation growth for the
26 purpose of maintaining clearances on utility or telecommunications
27 easements; and

1 (D) for utility or telecommunications facility
2 routing and siting for the purpose of providing utility or
3 telecommunications service;

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

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

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

10 (A) in immediate pursuit of a person law
11 enforcement officers have reasonable suspicion or probable cause to
12 suspect has committed an offense, not including misdemeanors or
13 offenses punishable by a fine only;

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

17 (C) for the purpose of investigating the scene
18 of:

19 (i) a human fatality;

20 (ii) a motor vehicle collision [~~accident~~]
21 causing death or serious bodily injury to a person; or

22 (iii) any motor vehicle collision
23 [~~accident~~] on a state highway or federal interstate or highway;

24 (D) in connection with the search for a missing
25 person;

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

1 (F) of private property that is generally open to
2 the public where the property owner consents to law enforcement
3 public safety responsibilities; or

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

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

11 (A) surveying the scene of a catastrophe or other
12 damage to determine whether a state of emergency should be
13 declared;

14 (B) preserving public safety, protecting
15 property, or surveying damage or contamination during a lawfully
16 declared state of emergency; or

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

19 (10) at the scene of a spill, or a suspected spill, of
20 hazardous materials;

21 (11) for the purpose of fire suppression;

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

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

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

5 (15) of public real property or a person on that
6 property;

7 (16) if the image is captured by the owner or operator
8 of an oil, gas, water, or other pipeline for the purpose of
9 inspecting, maintaining, or repairing pipelines or other related
10 facilities, and is captured without the intent to conduct
11 surveillance on an individual or real property located in this
12 state;

13 (17) in connection with oil pipeline safety and rig
14 protection;

15 (18) in connection with port authority surveillance
16 and security;

17 (19) if the image is captured by a registered
18 professional land surveyor in connection with the practice of
19 professional surveying, as those terms are defined by Section
20 [1071.002](#), Occupations Code, provided that no individual is
21 identifiable in the image;

22 (20) if the image is captured by a professional
23 engineer licensed under Subchapter [G](#), Chapter [1001](#), Occupations
24 Code, in connection with the practice of engineering, as defined by
25 Section [1001.003](#), Occupations Code, provided that no individual is
26 identifiable in the image; or

27 (21) if:

1 (A) the image is captured by an employee of an
2 insurance company or of an affiliate of the company in connection
3 with the underwriting of an insurance policy, or the rating or
4 adjusting of an insurance claim, regarding real property or a
5 structure on real property; and

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

9 SECTION 135. Section [1952.155](#), Insurance Code, is amended
10 to read as follows:

11 Sec. 1952.155. BENEFITS PAYABLE WITHOUT REGARD TO FAULT OR
12 COLLATERAL SOURCE; EFFECT ON SUBROGATION. (a) The benefits under
13 coverage required by this subchapter are payable without regard to:

14 (1) the fault or nonfault of the named insured or
15 recipient in causing or contributing to the collision [~~accident~~];
16 and

17 (2) any collateral source of medical, hospital, or
18 wage continuation benefits.

19 (b) Except as provided by Subsection (c), an insurer paying
20 benefits under coverage required by this subchapter does not have a
21 right of subrogation or claim against any other person or insurer to
22 recover any benefits by reason of the alleged fault of the other
23 person in causing or contributing to the collision [~~accident~~].

24 (c) An insurer paying benefits pursuant to this subchapter,
25 including a county mutual insurance company, shall have a right of
26 subrogation and a claim against a person causing or contributing to
27 the collision [~~accident~~] if, on the date of loss, financial

1 responsibility as required by Chapter 601, Transportation Code, has
2 not been established for a motor vehicle involved in the collision
3 [~~accident~~] and operated by that person.

4 SECTION 136. Section 1954.056(b), Insurance Code, is
5 amended to read as follows:

6 (b) A transportation network company driver shall carry
7 proof of insurance that satisfies Sections 1954.052 and 1954.053
8 with the driver when the driver uses a vehicle in connection with a
9 transportation network company's digital network. In the event of
10 a collision [~~an accident~~], a driver shall provide the proof of
11 insurance to a directly interested person, automobile insurer, and
12 investigating peace officer on request under Section 601.053,
13 Transportation Code. On request, a driver shall also disclose to a
14 directly interested person, automobile insurer, and investigating
15 peace officer whether, at the time of the collision [~~accident~~], the
16 driver was:

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

19 SECTION 137. Section 2308.002(5-a), Occupations Code, is
20 amended to read as follows:

21 (5-a) "Incident management tow" means any tow of a
22 vehicle in which the tow truck is summoned to the scene of a traffic
23 collision [~~accident~~] or to an incident, including the removal of a
24 vehicle, commercial cargo, and commercial debris from a collision
25 [~~an accident~~] or incident scene.

26 SECTION 138. Sections 2308.209(c), (d), and (h),
27 Occupations Code, are amended to read as follows:

1 (c) The sheriff's office may maintain a list of towing
2 companies to perform nonconsent tows of motor vehicles initiated by
3 a peace officer investigating a traffic collision [~~accident~~] or a
4 traffic incident. The towing companies must operate in a county to
5 which this section applies.

6 (d) A peace officer initiating a nonconsent tow of a motor
7 vehicle involved in a traffic collision [~~accident~~] or traffic
8 incident that the officer is investigating shall notify the
9 sheriff's office that the tow is being initiated. The sheriff's
10 office shall contact successive towing companies on the tow
11 rotation list until a company agrees to carry out the tow.

12 (h) In a county in which a list is maintained under
13 Subsection (c), a person commits an offense if:

14 (1) the person arrives at the scene of a traffic
15 collision [~~accident~~] or traffic incident to perform a nonconsent
16 tow of a motor vehicle without first being contacted by the
17 sheriff's office;

18 (2) the person directly or indirectly solicits, on
19 streets located in the county, towing services, including towing,
20 removing, repairing, wrecking, storing, trading, selling, or
21 purchasing related to a vehicle that has been damaged in a collision
22 [~~an accident~~] to the extent that it cannot be normally and safely
23 driven; or

24 (3) the person enters the scene of a traffic collision
25 [~~accident~~], traffic incident, or other area under the control of a
26 peace officer without the permission of the peace officer.

27 SECTION 139. The heading to Section [38.18](#), Penal Code, is

1 amended to read as follows:

2 Sec. 38.18. USE OF COLLISION [~~ACCIDENT~~] REPORT INFORMATION
3 AND OTHER INFORMATION FOR PECUNIARY GAIN.

4 SECTION 140. Section 2(4-a), Article 6243g-4, Revised
5 Statutes, is amended to read as follows:

6 (4-a) "Catastrophic injury" means a sudden, violent,
7 life-threatening, duty-related injury sustained by an active
8 member that is due to an externally caused motor vehicle collision
9 [~~accident~~], gunshot wound, aggravated assault, or other external
10 event or events and results, as supported by evidence, in one of the
11 following conditions:

12 (A) total, complete, and permanent loss of sight
13 in one or both eyes;

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

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

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

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

24 SECTION 141. Section 72.051(1), Civil Practice and Remedies
25 Code, is repealed.

26 SECTION 142. The changes in law made by this Act are
27 nonsubstantive and are intended to clarify rather than change

1 existing law.

2 SECTION 143. To the extent of any conflict, this Act
3 prevails over another Act of the 88th Legislature, Regular Session,
4 2023, relating to nonsubstantive additions to and corrections in
5 enacted codes.

6 SECTION 144. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 2190 was passed by the House on May 9, 2023, by the following vote: Yeas 133, Nays 9, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2190 on May 26, 2023, by the following vote: Yeas 138, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2190 was passed by the Senate, with amendments, on May 24, 2023, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor