

BILL ANALYSIS

H.B. 2462
By: Leach
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee of a situation in which Brandy Bottone of Plano was pulled over by a Dallas sheriff's deputy and given a ticket for driving alone in a high occupancy vehicle (HOV) lane. She told the officer that she did not commit a violation because under state law there were two people in her car, her and her unborn baby. The Penal Code recognizes an individual as including an unborn child at every stage of gestation, and under current HOV lane laws, the vehicle must be occupied by two or more people. Bottone's ticket was dismissed in court. The bill author has also informed the committee that three states have passed into law language broadly defining an unborn child as a person in the past decade. Alabama passed an amendment to its state constitution in 2018 guaranteeing the rights of the unborn child in all manners and measures lawful and appropriate. Georgia passed a law recognizing the personhood of fetal life in 2019, and Arizona did so in 2021.

H.B. 2462 seeks to provide pregnant drivers with improved access to HOV lanes, which are designed to provide a smoother and quicker driving experience, and therefore reduce the stress and discomfort that such drivers experience while driving by entitling an operator of a motor vehicle who is pregnant to use any HOV lane in Texas regardless of whether the vehicle is occupied by a passenger other than the operator's unborn child.

CRIMINAL JUSTICE IMPACT

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

RULEMAKING AUTHORITY

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

ANALYSIS

H.B. 2462 amends the Transportation Code to entitle an operator of a motor vehicle who is pregnant to use any high occupancy vehicle lane in Texas regardless of whether the vehicle is occupied by a passenger other than the operator's unborn child.

EFFECTIVE DATE

September 1, 2025.