

BILL ANALYSIS

H.B. 3539
By: Harris Davila
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that in order to use a high occupancy vehicle (HOV) lane, there usually must be two individuals present in the vehicle, which has led to pregnant mothers being pulled over and ticketed because there is not an individual sitting in a passenger seat. However, the bill author has further informed the committee that, because the baby is a living being, many have called for the baby to be treated as a passenger. H.B. 3539 seeks to help pregnant mothers avoid being ticketed, arrive to critical appointments in time, and reach a hospital faster when they go into labor by allowing pregnant mothers to use HOV lanes regardless of whether the vehicle is occupied by a passenger other than the mother'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. 3539 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.