

BILL ANALYSIS

C.S.H.B. 4176

By: LaHood

Homeland Security, Public Safety & Veterans' Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The bill author has informed the committee that, due to the national police staffing crisis, law enforcement response times to motor vehicle accidents across the state have increased profoundly and that some individuals involved in motor vehicle accidents have reported waiting hours for police to respond to their accident due to the dwindling number of police officers available who must prioritize more serious calls ahead of motor vehicle accidents. C.S.H.B. 4176 seeks to address this issue and streamline a law enforcement agency's ability to respond to motor vehicle accidents in a timely manner by authorizing former peace officers to respond to and investigate minor motor vehicle accidents under certain conditions.

CRIMINAL JUSTICE IMPACT

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

RULEMAKING AUTHORITY

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

ANALYSIS

C.S.H.B. 4176 amends the Transportation Code to authorize a former peace officer who is designated by a law enforcement agency and who has successfully completed a training program on investigating motor vehicle collisions approved by the Texas Commission on Law Enforcement (TCOLE) to investigate a motor vehicle collision, without regard to whether the collision occurred on property to which the rules of the road relating to collisions and collision reports apply, if no offense was committed during the collision and no injury or death of a person occurred as a result of the collision. The bill requires a former peace officer designated by a law enforcement agency to investigate a motor vehicle to make a written report summarizing the findings of the investigation and subjects that collision report to the same provisions applicable to a peace officer's collision report and to a change in or a modification of such a report.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 4176 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute omits a provision from the introduced that increased from \$1,000 to \$5,000 the minimum apparent damage to property resulting from a motor vehicle collision that triggers the following:

- the authorization for a peace officer who is notified of such a collision to investigate the collision and file related justifiable charges without regard to whether the collision occurred on applicable property; and
- the requirement for a law enforcement officer who in the regular course of duty investigates such a collision to make a written report of the collision.

Whereas the introduced authorized an employee of a law enforcement agency who is not a peace officer and who has successfully completed a training program on investigating motor vehicle collisions that satisfies the applicable Occupations Code requirements regarding a law enforcement officer school curriculum to investigate a motor vehicle collision under certain conditions, the substitute authorizes instead a former peace officer who is designated by a law enforcement agency and who has successfully completed a training program on investigating motor vehicle collisions approved by TCOLE to investigate such a collision under those conditions. With respect to those conditions, the substitute makes the following changes:

- with respect to the condition in the introduced that no offense was committed during the collision other than a misdemeanor punishable by fine only, the substitute omits the exception of a misdemeanor punishable by fine only; and
- omits the condition in the introduced that any property damage that resulted from the collision was to an apparent extent of less than \$5,000.

Additionally, the substitute changes the requirement of the introduced for an employee of a law enforcement agency who is not a peace officer and who investigates a motor vehicle collision to make a written report summarizing the investigation's findings so that it is applicable instead to a former peace officer who is designated by a law enforcement agency to investigate such a collision.

The substitute includes provisions absent from the introduced that make statutory provisions relating to a change in or a modification of a collision report prepared by a peace officer applicable also with respect to such a report prepared by a former peace officer designated by a law enforcement agency.