

## **BILL ANALYSIS**

S.B. 857

By: Schwertner

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

### **BACKGROUND AND PURPOSE**

The bill sponsor has informed the committee that as the number of drivers on Texas roadways continues to rise, so too does the risk posed by unlicensed drivers, who are on the road without the necessary insurance or state-level documentation of their covenant to follow Texas laws. The bill sponsor has further informed the committee that, under current law, law enforcement may ticket an unlicensed driver but lacks the authority to tow a vehicle under those circumstances. S.B. 857 seeks to provide law enforcement with an additional tool to better ensure compliance with licensing and insurance laws by granting peace officers and license and weight inspectors the discretion to tow a vehicle if the driver is unlicensed, has an invalid license, or fails to have insurance.

### **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**

S.B. 857 amends the Transportation Code to authorize a peace officer or a Department of Public Safety license and weight inspector to remove or require the operator or a person in charge of a vehicle to move a vehicle from a highway if the vehicle is operated by a person in violation of the requirement to hold a driver's license for such operation or in violation of statutory provisions establishing the following offenses:

- the offense of driving with an invalid license;
- the offense of operation of a motor vehicle in violation of the motor vehicle liability insurance requirement; or
- the offense of operation of a motor vehicle by a minor without a license.

### **EFFECTIVE DATE**

September 1, 2025.