

BILL ANALYSIS

S.B. 1013
By: Eckhardt
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The 87th Texas Legislature passed S.B. 1055, known as the Lisa Torry Smith Act, which created a criminal offense for a person who operates a motor vehicle within the area of a crosswalk with criminal negligence and causes bodily injury to a pedestrian or a vulnerable road user who is legally in a crosswalk but current law does not clearly address the right-of-way in an area extending across an alley or driveway where a sidewalk user is crossing because those areas are not technically "crosswalks" for purposes of current law. S.B. 1013 seeks to close this loophole by establishing that an operator entering an alley, driveway, or building in a business or residence district from a roadway must yield the right-of-way to a pedestrian or sidewalk user who is located on a sidewalk or within the area of a sidewalk extending across the alley or driveway to avoid collision.

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. 1013 amends the Transportation Code to require a person who drives or has physical control of a vehicle emerging from an alley, driveway, or building in a business or residence district to yield the right-of-way to a sidewalk user to avoid collision. The bill requires such a person entering one of those locations from a roadway to yield the right-of-way to a pedestrian or sidewalk user who is located on a sidewalk or within the area of a sidewalk extending across the alley or driveway to avoid collision. The bill defines "sidewalk user" as an individual lawfully operating on a sidewalk a bicycle, a motor-assisted scooter, an electric personal assistive mobility device, a skateboard, roller skates, or a similar device.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.