

- SUBJECT:** Increasing penalties for causing serious injury while passing a school bus
- COMMITTEE:** Transportation — favorable, without amendment
- VOTE:** 12 ayes — Canales, Bernal, Y. Davis, Goldman, Hefner, Krause, Leman, Martinez, Ortega, Raney, Thierry, E. Thompson
- 0 nays
- 1 absent — Landgraf
- WITNESSES:** For — Sheri Doss, Texas PTA
- Against — None
- BACKGROUND:** Transportation Code sec. 545.066 makes it a misdemeanor punishable by a fine of \$500 to \$1,250 for a driver to pass a school bus that is stopped to receive or discharge a student. It becomes a class A misdemeanor (up to one year in jail and/or a maximum fine of \$4,000) if the driver causes serious bodily injury to another and a state-jail felony (180 days to two years in a state jail and an optional fine of up to \$10,000) if the driver has been previously convicted of causing serious bodily injury under the same offense.
- Concerns have been raised that the penalties for causing serious bodily injury while illegally passing a school bus do not reflect the severity of the offense.
- DIGEST:** HB 4070 would make it a second-degree felony (two to 20 years in prison and an optional fine of up to \$10,000) if in the process of illegally passing a school bus that was stopped to receive or discharge a student a driver caused serious bodily injury to another and would remove the state-jail felony provision for subsequent convictions of serious bodily injury. A person who committed an offense under Transportation Code sec. 545.066 that constituted an offense under another section could be prosecuted under either section.

The bill would take effect September 1, 2019.