

BILL ANALYSIS

Senate Research Center
76R2862 WP-F

S.B. 162
By: Carona
Infrastructure
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As Filed

DIGEST

Currently, Texas law provides that only certain municipal peace officers may be certified to inspect commercial motor vehicles on highways within their municipalities. However, there are too few municipal peace officers to meet all of the commercial motor vehicle inspection needs. This bill would include sheriffs and sheriff's deputies among those officers trained and certified to enforce commercial motor vehicle safety standards.

PURPOSE

As proposed, S.B. 162 includes sheriffs and sheriff's deputies among those officers trained and certified to enforce commercial motor vehicle safety standards.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 644.101, Transportation Code, as follows:

Sec. 644.101. New heading: CERTIFICATION OF MUNICIPAL POLICE OFFICERS AND SHERIFFS OR SHERIFF'S DEPUTIES. Includes sheriffs and sheriff's deputies among those required to be trained and certified under this section. Authorizes a sheriff or a sheriff's deputy of a county with a population of 500,000 or more to apply for certification under this section. Makes conforming changes.

SECTION 2. Amends Section 644.102, Transportation Code, as follows:

Sec. 644.102. New heading: MUNICIPAL AND COUNTY ENFORCEMENT REQUIREMENTS. Includes counties in the enforcement requirements under this section. Makes conforming changes.

SECTION 3. Amends Section 644.103, Transportation Code, by adding Subsection (d), as follows:

(d) Authorizes a sheriff or a sheriff's deputy, certified under Section 644.101, to detain a motor vehicle subject to this chapter, on a highway within the territory of a county.

SECTION 4. Provides that Section 644.101, Transportation Code, as set out in this Act, gives effect to changes made by Chapter 364 and Chapter 1061, Acts of the 75th Legislature, Regular Session, 1997. Provides that this Act prevails over another Act of the 76th Legislature, Regular Session, 1999, to the extent of any conflict.

SECTION 5. Effective date: September 1, 1999.

SECTION 6. Emergency clause.