

BILL ANALYSIS

Senate Research Center
77R7130 DWS-F

C.S.S.B. 148
By: Shapiro
Jurisprudence
2/20/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, foreign diplomats drive with licenses issued by the U.S. Department of State. When traffic violations occur, diplomatic license holders are responsible for civil fines, but are immune to state license restrictions. C.S.S.B. 148 requires all traffic violations or incidents involving persons with diplomatic or consular immunity to be reported to the Bureau of Diplomatic Security Office of Foreign Missions at the U.S. Department of State.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 543A, Transportation Code, by adding Section 543.011, as follows:

Sec. 543.011. PERSON LICENSED BY STATE DEPARTMENT OR CLAIMING DIPLOMATIC OR CONSULAR IMMUNITY. Sets forth the persons that are affected by this section. Requires that a peace officer record all relevant information from any driver's license, identification card, or any statement made by the person relating to immunities or privileges and promptly deliver the record to the peace officer's law enforcement agency. Requires the law enforcement agency to contact the U.S. Department of State, as soon as practicable, to verify the person's status and immunity, and send certain information regarding the stop or issuance of the notice to appear to the Bureau of Diplomatic Security Office of Foreign Missions of the U.S. Department of State (bureau) not later than five working days after the date of the incident. Sets forth the information that must be sent to the bureau. Provides that this section does not affect application of a law described by this section to a person to whom this section applies.

SECTION 2. Effective date: September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

SECTION 1. Differs from original by adding "consular" immunity to diplomatic immunity, regarding persons affected by this Act. Substitutes language regarding "arrest" with "issuance of notice to appear."