

BILL ANALYSIS

Senate Research Center
79R6505 DWS-D

H.B. 1484
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Criminal Justice
5/18/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Under current law, if a person refuses to move his or her vehicle that can be safely driven following a vehicle accident on a metropolitan freeway, the offense is punishable as a Class C misdemeanor if the damage to all vehicles is less than \$200 or as a Class B misdemeanor if the damage to all vehicles is greater than \$200.

Most vehicular accidents result in damage of more than \$200, requiring most applications of this law to be handled as Class B misdemeanors. Furthermore, the current law is unduly harsh. Its application would result in a citizen who was just involved in an accident, for which he or she may not have been at fault, being arrested and charged with a Class B misdemeanor for failing to remove their vehicle. Police departments have been reluctant to enforce this statute due to the high penalty. Reducing the penalty to a Class C misdemeanor will result in better traffic flow on congested metropolitan freeways through a combination of a public education campaign and enforcement efforts.

H.B. 1484 relates to the penalty for failing to perform certain duties following a vehicle accident.

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 Section 550.022, Transportation Code, by amending Subsection (c) and adding Subsection (c-1), as follows:

(c) Makes nonsubstantive changes.

(c-1) Provides that a person commits a Class C misdemeanor if the person does not comply with the requirements of Subsection (b).

SECTION 2. Makes application of this Act prospective. Provides that, for the purposes of this section, an offense is committed before the effective date of this Act if any element of the offense occurs before that date.

SECTION 3. Effective date: September 1, 2005.