

BILL ANALYSIS

Senate Research Center
79R6193 DWS-D

S.B. 642
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Transportation & Homeland Security
4/11/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently Section 545.412, Transportation Code, provides that a person commits an offense if the person operates a passenger car or light truck and transports a child who is younger than five years of age and less than 36 inches tall without properly securing the child in a child passenger safety system, but the offense is not a moving violation. Previously, the legislature passed a bill authorizing the Texas Education Agency to approve a specialized course in seat belt safety. The course is required to have at least four hours of instruction that encourages the use of child passenger safety seat systems and instructs a student on how to properly use a child passenger safety seat and the dangerous consequences of failing to properly secure a child.

As proposed, S.B. 642, by making the offense a moving violation, could encourage more drivers to take the course in order to keep the moving violation off their driving records and reduce points under the new point system.

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 708.052, Transportation Code, by adding Subsection (f), to provide that for the purposes of this section, an offense under Section 545.412 (Child Passenger Safety Set Systems; Offense) or 545.413 (Safety Belts; Offense), Transportation Code, is a moving violation of traffic law.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2005.