

BILL ANALYSIS

Senate Research Center

H.B. 548
By: Pickett (Carona)
Transportation & Homeland Security
5/18/2009
Committee Report (Amended)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

According to the U.S. Department of Transportation, excessive speed caused or contributed to 31 percent of fatal accidents in 2007, resulting in the loss of more than 13,000 lives. Speeding is a problem because it reduces the driver's control over the vehicle and makes it harder to react in time to hazards. Higher speeds translate to greater force in a crash, raising the likelihood of serious injury or death. Unfortunately, enforcement of criminal laws against street racing is inconsistent at best, in part because law enforcement officers cannot charge racers unless they are caught in the act.

H.B. 548 amends current law relating to the impoundment of certain motor vehicles involved in the commission of the offense of racing on a highway.

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 545.420, Transportation Code, by adding Subsection (i), as follows:

- (i) Provides that this subsection applies only to a motor vehicle used in the commission of an offense under this section that results in an accident with property damage or personal injury. Requires a peace officer to require the vehicle to be taken to the nearest licensed vehicle storage facility. Provides that the owner of a motor vehicle that is removed or stored under this subsection is liable for all removal and storage fees incurred and is not entitled to take possession of the vehicle until those fees are paid.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2009.

SUMMARY OF COMMITTEE CHANGES

Amends H.B. 548 in Section 1 of the bill, on page 1, line 11, immediately following the word "facility" by adding the following: "unless the vehicle is seized as evidence, in which case the vehicle may be taken to a storage facility as designated by the peace officer involved."