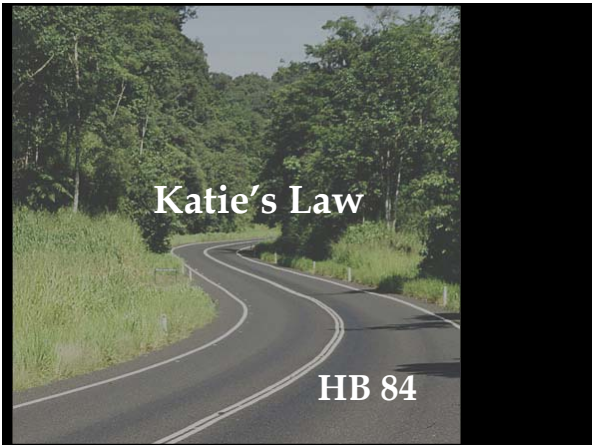


Overview of Transportation Code Amendments



Lois Wright
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HB 84


DL Renewal

- Upon reaching 85, a person must renew their driver's license every two years.
- Someone over 79 years of age may not renew online or by mail.

**Also applies to commercial driver's licenses*

HB 586 **DSC**
Amends Art. 45.0511, CCP


- **Driving safety course available**
 - For speeding less than 25 miles an hour over the posted limit; **AND**
 - For speeding under 95 miles an hour
 - For military spouses and dependents without a Texas driver's license



SB 1083 **Driving Record**

- Court may request the defendant's driving record for a driving safety course
 - Using TexasOnline
 - Defendant pays a \$12 fee; effective January 1, 2008
 - Fee paid to the State quarterly (no pro-ration)

HB 1623 **DWLI**


New Class C Misdemeanor!!

DRIVING WHILE LICENSE INVALID

- Class C misdemeanor
- Class B misdemeanor if the suspension was from a DWI conviction
- Class A misdemeanor if previously convicted of DWLI

Which Means

- The comparable CDL statute, *Driving While Disqualified Prohibited*, found in Section 522.071, T.C., is also a Class C misdemeanor, punishable by up to a \$500 fine.



Lightweight Vehicles

HB 1279

Creates § 544.0075

- Traffic signals must be able to detect light-weight vehicles



HB 3849 Off-highway Vehicles



New Class C Misdemeanor!!

- Parks and Wildlife has sole authority to issue registration decals for operating off-highway vehicles
- Offense to ride an off-highway vehicle on public property without a safety helmet and eye protection

Child Safety



HB 1045 | HCR 73 April :Child Safety Month Creates § 662.103, GC

- To increase public awareness about:
- leaving children in unattended vehicles
 - reducing accidental injury and death
 - encouraging the correct use of helmets, seat belts, and smoke alarms



HB 323 | HB 3190

- Three point seat-belts required in new buses
- Seat belt law is expanded to include “the operator of a school bus equipped with a safety belt for the operator’s seat”





SB 153 Amends §521.222, TC

A person seated next to someone driving with an instructional permit may not:

- Sleep
- Be intoxicated
- Engage in activity preventing them from observing and responding to the driver

- *Unless there was another person in the seat next to the driver who was qualified and capable to be the accompanying passenger*

TOWING & JUNKED VEHICLES

HB 2094



New Class C Misdemeanor!!

Vehicle Storage Facilities / Tow Trucks

- Employees must be licensed by TDLR
- Two permits needed:
 - (1) operating on public roads,
 - (2) performing non-consent tows on private property
- \$200-\$1000 per violation



SB 500

New Class C Misdemeanor!!

- Sheriff's office in unincorporated areas is to maintain a public list of towing companies to perform non-consent tows
- If a tow truck arrives at a scene without having been contacted by the sheriff, it is a Class C misdemeanor

SB 350 | SB 351



- A junked vehicle **MUST HAVE BOTH** an expired registration **AND** an expired inspection to be "junked"
- A public hearing for a junked vehicle is only required when a request is made no later than the deadline to abate the nuisance
- Notice of abatement of an abandoned vehicle may be sent USPS with signature confirmation service

Commercial Motor Vehicles

HB 1638 | SB 545 | HB 2077

Amends § 644.101(b), TC

- Police officers may apply for certification to enforce CMV safety standards:
 - in a municipality less than 5,000 adjacent to a bay connected to the Gulf of Mexico and in a county adjacent to Harris County; or
 - in a municipality more than 50,000
 - in a municipality 25,000-50,000 located within a county population of at least 500,000; or
 - in a municipality in any county bordering Mexico
 - in a municipality in Harris County
 - in Texarkana



SB 329

Amends § 547.613, TC

A commercial motor vehicle is bound by federal window tinting requirements



SB 333 | SB 1372

Expands the offense of driving a commercial motor vehicle while subject to an out-of-service order, to:

- smaller vehicles in violation of, but not "subject to" an out-of-service order; and
- while a person's employer is subject to an out-of-service order; or
- while the vehicle being operated is subject to an out-of-service order



SB 1260 | HB 313

- A foreign commercial vehicle is not required to be registered if it is used solely to transport cargo across the border, and remains in Texas less than 48 hours per load



SB 1372



- Clarifies disqualification rules:
 - A CMV determined to constitute an imminent hazard disqualification runs concurrent to any existing disqualification for the same
 - A CDL disqualification for serious traffic violations or a railroad crossing violation runs consecutively to a disqualification already in effect
- DPS may deny renewal of a CDL after receiving information indicating the license-holder's failure to appear or pay in a matter involving a motor vehicle traffic control violation in another state
- Exempted from CDL laws are all commercial motor vehicles used for military purposes or by military personnel

HB 1522 **Overnight Parking**
Amends § 545.307, TC

- Prohibits parking a commercial motor vehicle between 10 p.m. and 6 a.m. on:
 - residential streets; or
 - streets adjacent to the subdivision and within 1000 feet of a residence, school, church, or park
- *Does not apply to utility vehicles parked overnight at an employee's residence; or vehicles owned by a commercial establishment parked at or adjacent to that establishment*



MORE NEW OFFENSES

SB 387

- Expands the requirement to cover a load to refuse as well as loose material being transported on a public highway
- Material not transported by a commercial vehicle doesn't need a cover if it is completely enclosed by the load-carrying compartment or does not blow from or spill over the top of the compartment



HB 1798

Creates § 451.113, TC

New Class C
Misdemeanor!!

- Offense to use or block a designated right of way of a metropolitan transit authority in connection with a bus rapid transit system

** Exempt: vehicles owned or controlled by the authority, emergency vehicles responding to a call, and persons authorized to drive on the right of way*



SB 1372

New Class C
Misdemeanor!!

- New offense for operator driving on or crossing a railroad grade without sufficient undercarriage clearance
- \$50-\$200
- Clarifies license disqualification rules:
 - A disqualification take effect on the 40th day after the person receives notice of the disqualification.
 - If a disqualification is already in effect, the disqualifications run concurrently.
- DPS must respond to a request for a driving record check from another state within 30 days


HB 3832

Amends § 547.611(a), TC

A vehicle may have video equipment only when:

- the video display is not visible from the operator's seat; or
- the display is only visible when the vehicle is in park or the parking brake is engaged.






SB 369

Amends § 502.509, TC

Expands the offense of obscuring license plate to prohibit items attached to or displayed on a license plate or registration insignia that blurs or reflects light, significantly impairing the readability of the name of the state or the letters/numbers




SB 1786 | SB 11

New Class C
 Misdemeanor!!

- TxDOT must develop a database to record temporary dealer tag information
- Temporary dealer tag numbers must be unique and accessible to law enforcement
- Dealers are required to issue a person who buys any vehicle a temporary tag
- Dealer may apply for an extended tag after 20 days have expired
- It is an offense for someone other than a dealer or converter to purchase a temporary tag

SB 1723



- When someone defaults in a payment under the DPS Points & Surcharges Program, DPS may force payment immediately in its entirety or reestablish the payment plan
- DPS may also:
 - enter into an additional contract for the collection of surcharges not to exceed 30% of the surcharges and related costs
 - establish a periodic amnesty program and offer incentives for compliance with the law and efforts of rehabilitation
 - establish an indigence program

HB 3089 Charitable Contributions

Amends § 552.0071, TC

Definition of "roadway" is expanded to include the roadbed, shoulder, median, curb, safety zone, sidewalk, and utility easements near or adjacent to the roadway