

BILL ANALYSIS

C.S.H.B. 827
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Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised that, while the Texas Department of Transportation does not generally collect vehicle speed information on tollways, this information may be collected by a private entity that operates a toll project and used against a driver for the purpose of proving a speeding offense, even though the mandate of toll project operators does not include the collection and distribution of vehicle speeds for that purpose. As the number of toll projects increases, there are more opportunities for a toll project operator to unjustly share information with a law enforcement agency that is not intentionally collected for law enforcement purposes. C.S.H.B. 827 seeks to address this issue by establishing a prohibition on the disclosure of a vehicle's speed by certain toll entities.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 827 amends the Transportation Code to prohibit a toll project entity or a private entity that operates a toll project and collects information on a vehicle's operating speed on the toll project from disclosing that information to a law enforcement agency for the purpose of proving a speeding offense. This prohibition does not apply to the release of information for the investigation of an offense that results in a person's death or serious bodily injury.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 827 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes an exemption from the bill's prohibition for the release of information for the investigation of an offense that results in a person's death or serious bodily injury.