

BILL ANALYSIS

Senate Research Center

S.B. 1657
By: Shapiro
Jurisprudence
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As Filed

DIGEST

Currently, an individual may not take a driving safety course if charged with an offense of speeding 25 miles per hour (mph) or more over the speed limit. An individual cited for going less than 25 mph over the posted speed limit may be eligible to take a driving safety course. This legislation would prohibit an individual from being eligible to take a driving safety course to dismiss record violations in which the individual was speeding at more than 15 mph over the posted speed limit.

PURPOSE

As proposed, S.B. 1657 provides new regulations regarding the eligibility of a person for the mandatory deferral of a speeding offense.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 543.103, Transportation Code, to require a court, subject to Subsection (b), to defer proceedings and allow a person 90 days to take a driving safety course or, if the offense was committed while operating a motorcycle, a motorcycle operator training course and 30 additional days to present a uniform certificate of course completion as written evidence that after the alleged violation the person successfully completed the driving safety course or written evidence that after the alleged violation the person successfully completed the motorcycle operator training course. Provides that Subsection (a) applies only if the court enters a judgment on the person's plea of no contest or guilty at the time the plea is made but defers imposition of the judgment for 120 days, rather than 90 days, and the person is charged with an offense to which this subchapter applies other than speeding more than 15 miles per hour, rather than 25 miles per hour, over the posted speed limit, among other requirements. Makes conforming and nonsubstantive changes.

SECTION 2. (a) Provides that, in addition to the substantive changes in law made by this Act, this Act amends Section 543.103, Transportation Code, to conform to the changes in the law made by Section 1, Chapter 334, and Section 28, Chapter 1009, Acts of the 74th Legislature, Regular Session, 1995.

(b) Provides that, to the extent of any conflict, this Act prevails over another Act of the 75th Legislature, Regular Session, 1997, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 3. Effective date: September 1, 1997.
Makes application of this Act prospective.

SECTION 4. Emergency clause.