BILL ANALYSIS

Senate Research Center 77R1490(1) JD S.B. 59 By: Zaffirini Jurisprudence 4/11/2001 As Filed

DIGEST AND PURPOSE

According to a Centers for Disease Control and Prevention (CDC) analysis, most young victims of alcohol-related crashes are passengers in the intoxicated drivers' vehicle, rather than victims of intoxicated drivers in other vehicles. The CDC study indicated that the drunken drivers were not teenagers, but adults old enough to be the parents or caregivers of the children who died in their vehicles. CDC recommends that drivers who have children in the vehicle be subject to a lower blood-alcohol limit, which currently is .08. As proposed, S.B. 59 lowers the allowable blood alcohol level to .06 for a person operating a motor vehicle when a person younger than 14 is a passenger.

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 49.01(2), Penal Code, to redefine "intoxicated." Provides that "intoxicated" means having an alcohol concentration of 0.06 or more, if the actor is operating a motor vehicle and a person younger than 14 is a passenger in the vehicle. Makes nonsubstantive changes.

SECTION 2. Effective date: September 1, 2001. Makes application of this Act prospective.