

BILL ANALYSIS

Senate Research Center
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H.B. 423
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Transportation & Homeland Security
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas has one of the worst records in the nation for reporting the alcohol results for fatally injured drivers. One of the reasons for poor toxicology information is that Texas does not have a coordinated system of procedures for all agencies and individuals to follow when reporting these results for traffic fatalities.

H.B. 423 amends Section 550.081, Transportation Code, to regulate certain details regarding the reporting of specific information pertaining to fatal traffic accidents by medical examiners or justices of the peace who are acting as coroners.

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 550.081, Transportation Code, as follows:

Sec. 550.081. New heading: REPORT OF MEDICAL EXAMINER OR JUSTICE OF THE PEACE. (a) Creates this subsection from existing text. Requires a medical examiner or justice of the peace acting as coroner in a county that does not have a medical examiner's office or that is not part of a medical examiner's district, rather than a coroner or another officer performing similar functions within the officer's jurisdiction, to submit a report in writing to the Texas Department of Transportation (TxDOT) of the death of a person that was the result of a traffic accident to which Chapter 550 (Accidents and Accident Reports), Transportation Code, applies and that occurred within the jurisdiction of the medical examiner or justice of the peace in the preceding calendar quarter, rather than the preceding calendar month. Deletes existing text requiring the report to be submitted not later than the 10th day of each month.

(b) Creates this subsection from existing text. Requires the report to be submitted before the 11th day of each calendar month and to include certain information, rather than the time, place, and circumstances of the accident.

(c) Requires a report required by this section to be sent to TxDOT's crash records bureau in Austin or any other office or bureau of TxDOT that TxDOT designates.

(d) Requires the medical examiner or justice of the peace, in the event toxicological test results are not available on the date the report is due, to submit a report that includes the statement "toxicological test results unavailable" and to submit a supplement to the report that contains the name of the facility that conducted toxicological testing relative to the deceased, and the results of said test, as soon as practicable after the toxicological test results become available.

(e) Requires TxDOT to prepare and, when requested, supply to medical examiners' offices and justices of the peace the forms necessary to make the reports required by this section.

SECTION 2. Effective date: September 1, 2007.