

## **BILL ANALYSIS**

Senate Research Center  
81R2760 TRH-D

S.B. 1389  
By: Wentworth  
Transportation & Homeland Security  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Reckless driving is an offense in Texas with a punishment that is the same regardless of whether the violation results in serious bodily injury or death. Reckless driving is an offense that has serious consequences and should be deterred.

As proposed, S.B. 1389 raises the penalty for reckless driving to a fine not to exceed \$700, confinement in a county jail of not more than 60 days, or both if the offense results in serious bodily injury or death. The court or a judge would also be authorized to revoke the offender's driver's license and require the offender to attend an educational course relating to the attitudinal dynamics of driving.

### **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 545.401, Transportation Code, by amending Subsection (b) and adding Subsections (e), (f), and (g), as follows:

(b) Provides that an offense under this section, except as provided by Subsection (e), is a misdemeanor punishable by a fine not to exceed \$200, confinement in a county jail for not more than 30 days, or both.

(e) Provides that if an offense under this section results in the serious bodily injury or death of an operator or passenger of another motor vehicle, the offense is punishable by a fine not to exceed \$700, confinement in county jail for not more than 60 days, or both the fine and the confinement.

(f) Authorizes the court to order that the driver's license of a person convicted of an offense under Subsection (e) be suspended for not less than 30 days beginning on the date of conviction.

(g) Authorizes a judge, acting under Article 42.12 (Community Supervision), Code of Criminal Procedure, who elects to place a defendant accused of a violation of this section on community supervision under that article to require the defendant to attend and present proof that the defendant successfully completed an educational course related to the attitudinal dynamics of driving.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2009.