

BILL ANALYSIS

Senate Research Center
81R20461 TRH-D

C.S.S.B. 1389
By: Wentworth
Transportation & Homeland Security
3/31/2009
Committee Report (Substituted)

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.

C.S.S.B. 1389 authorizes the court or a judge to revoke the offender's driver's license and require the offender to attend a driving safety course.

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 a Class B misdemeanor.

(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 and require the person to attend and present proof that the person successfully completed a driving safety course approved under Chapter 1001 (Driver and Traffic Safety Education), Education Code, before the person's driver's license is authorized to be reinstated.

(g) Authorizes a judge, acting under Article 42.12 (Community Supervision), Code of Criminal Procedure, who elects to place a defendant on community supervision under that article to require the defendant to attend and present proof that the defendant successfully completed a driving safety course approved under Chapter 1001, Education Code.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2009.