

BILL ANALYSIS

Senate Research Center
82R82 JAM-D

H.B. 42
By: Menendez (Van de Putte)
Transportation & Homeland Security
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, a motor vehicle operator who damages a permanent or semi-permanent structure such as a building, house, or fence, and who leaves the scene of the accident, is not criminally liable. Furthermore, an operator who damages such property is not required to give or leave the operator's contact information.

H.B. 42 makes it a criminal offense to damage a permanent or semi-permanent structure and leave the scene of the accident without locating or attempting to locate the owner of the damaged property and giving or leaving contact information. A failure to comply with the bill's provisions is a Class C misdemeanor if the damage is less than \$200 and a Class B misdemeanor if the damage is \$200 or more.

H.B. 42 amends current law relating to the duty imposed on the operator of a motor vehicle that strikes a structure adjacent to a highway.

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 the heading to Section 550.025, Transportation Code, to read as follows:

Sec. 550.025. DUTY ON STRIKING STRUCTURE, FIXTURE, OR HIGHWAY LANDSCAPING.

SECTION 2. Amends Section 550.025(a), Transportation Code, as follows:

(a) Requires the operator of a vehicle involved in an accident resulting only in damage to a structure adjacent to a highway or a fixture or landscaping legally on or adjacent to a highway to:

(1) take reasonable steps to locate and notify the owner or person in charge of the property of the accident and of the operator's name and address and the registration number of the vehicle the operator was driving;

(2) if requested and available, show the operator's driver's license to the owner or person in charge of the property; and

(3) report the accident if required by Section 550.061 (Operator's Accident Report).

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2011.